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## CONTENTS.

- ✓ 1. An American pseud. The Cuban question. 1895.
- ✓ 2. U.S. Foreign relations, Committee on. (Senate.)  
Recognition of Cuban independence. 1896.
3. Dumont, H.D. The Merchants' association of New York  
report on Cuba. 1903.
4. Newlands, F.G. Joint resolution inviting the Republic  
of Cuba to become a state of the Union. 1903.
5. Cuba. Census. 1899. Census of Cuba. Bulletin. 1900.
6. U.S. Interior, Dept. of. Rules of practice before  
the United States district land offices....1899.
7. U.S. Adjutant general's office. Roster of troops  
serving in the division of Cuba. 1900.
8. Cuba. Laws, statutes, etc. Customs regulations for  
ports in the island of Cuba. 1901.

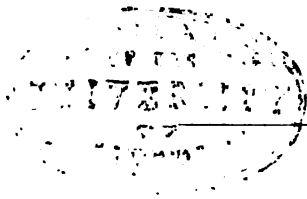
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# THE CUBAN QUESTION

IN ITS TRUE LIGHT

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*A DISPASSIONATE AND TRUTHFUL REVIEW  
OF THE SITUATION IN THE ISLAND OF  
CUBA, AND THE POSITION OF THE UNITED  
STATES TOWARD THE INSURRECTION.*



BY  
AN AMERICAN



THE  
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IN ITS TRUE LIGHT



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BY AN AMERICAN

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NEW YORK, 1895

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# THE CUBAN QUESTION

IN ITS TRUE LIGHT.

## I.

### UNRELIABILITY OF CUBAN NEWS.

A great deal has been written about the Cuban question in the American newspapers, but, as those conversant with the true state of affairs in the Island of Cuba know, there is, in the majority of the reports which find their way into print, so much that is utterly false, that they give the public no reliable information from which to derive a correct knowledge and on which to base a fair judgment of the situation in the "Pearl of the Antilles."

The requirements of the daily press—the aim of every newspaper being to outdo the others in the publication of sensational news—make it a difficult, almost an impossible task for the news editor to carefully weigh the value of every piece of information received, and to winnow the grains of truth out of the immense amount of chaff which is served to the daily press as news.

There are in the United States a number of Cuban refugees who are naturally interested in magnifying the extent

and scope of the present rebellion, and they avail themselves of every opportunity to spread exaggerated reports of victories in the field and to pour into the ears of sympathizing Americans tales of misery and woe. Key West, Tampa and Jacksonville are the principal hotbeds of Cuban filibusters, and these have agents who make it their business to concoct and transmit North such fabulous tales purporting to come from Cuba, as to make all dispatches dated at those places entirely unreliable.

#### MISSTATEMENTS OF THE PRESS.

It is generally from such sources as these that American newspapers derive the information which they serve up to an unsuspecting public under the guise of news, without taking the trouble to ascertain the truth or falsity of their reports. Thus we have read in a leading paper a cablegram announcing the gallant feat of a Spanish officer, whose death had been reported by the same newspaper a few days before. Thus we have been told of the capture by the insurgents of so important a town as Santa Clara, even the location of the town being shown on a map, on the very day that General Martinez Campos made Santa Clara his head-quarters, and yet the paper which boasted of this great feat of journalism, allowed the false report to remain uncontradicted in its columns. Thus we have read, day after day, the most absurd and extravagant tales about the progress of the Cuban rebellion and the atrocities committed by the Spanish soldiers, until the public mind has become bewildered and confused, and public opinion has erred in its judgment on the Cuban question.

#### AN APPEAL TO AMERICAN COMMON-SENSE.

It is for the purpose of setting public opinion right that these pages are now written. The American people love



truth and fair play, and they are always to be found on the side of right and justice. No fair judge would pass sentence upon a case without hearing the evidence on both sides, and no fairer judge can be found than the American people when their honest good sense is appealed to. Almost all that has been said so far in this country about the Cuban question has been inspired by the insurgents themselves or by their agents and sympathizers. It would be interesting to know what Spain has to say on the subject. But in the absence of any presentment of the Spanish side of the case, it should be the endeavor of all impartial and fair-minded people to examine the question without prejudice, putting sentimentality aside, and seeking only the truth in order to form a correct and intelligent opinion.

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## II.

## A RETROSPECTIVE VIEW.

In the first place, let us see how and by whom this insurrection was brought about.

There is no nobler or higher aspiration in the heart of man than the desire for independence. To Americans this feeling must be for ever dear; as it was the origin, the foundation, the corner-stone of our great and glorious country. One after another the various possessions of Spain on the continent of the New World have severed their political ties with the mother country, just as the thirteen English colonies in North America severed their ties with Great Britain.

Cuba and Porto Rico are the only possessions left to Spain in this hemisphere, which she discovered and in a great degree peopled. By reason of the richness and fertility of their soil, and—let us acknowledge it frankly—by dint of energy, activity and thrift on the part of the Spaniards, those two islands, and more especially Cuba, have so prospered in the development of their agriculture as to be among the richest and most productive regions in the world.

About the middle of this century, Narciso Lopez, with a few followers, raised the cry of independence and took up arms against Spain. The movement was short-lived, because the great majority of the inhabitants of Cuba frowned upon it as impeding the true interests and prosperity of the Island.

Eighteen years later, in 1868, a group of Cubans headed by Cespedes raised again the cry of independence at Yara, and this time the spirit of rebellion spread throughout a great

portion of the island, many among the better class of native Cubans—lawyers, planters, men of brains and wealth—either joining the ranks of the rebels or aiding the cause with the sinews of war. The struggle lasted ten years, for the insurgents received valuable aid in the shape of armed expeditions which managed to leave the United States and land on the Cuban shores. However, the great majority of the inhabitants continued loyal to Spain, and the insurrection was finally quelled by General Martinez Campos, who, by the treaty of Zanjón, permitted the rebel chiefs to leave the Island, promising at the same time a more liberal policy in the government of Cuba, including its representation in the Cortes.

#### THE ZANJÓN AGREEMENT.

We have no less an authority than General Campos himself, a man whose honesty has never been questioned, for the statement that all the promises made by him at Zanjón have been religiously fulfilled by Spain.

As a matter of fact, the conditions submitted by the rebel chiefs at Zanjón on the 10th of February, 1878, to General Martinez Campos, previous to their surrender and as a basis of peace, embodied the following demands: First—That the Island of Cuba be granted similar politic, organic and administrative reforms as those already adopted in Porto Rico. Second—General amnesty to all political offenders and persons engaged in the rebellion. Third—That all the slaves having taken part in the insurrection be set free. Fourth—That the Spanish Government will permit and facilitate the leaving of the Island to any of the insurgents wishing to do so.

Not only were all of the above demands acquiesced in by the Spanish Government, but, as is well known, slavery in

Cuba was subsequently abolished, and since then Cuba has enjoyed all the political liberties of a free people, freedom of speech, freedom of the press, freedom of meeting, and representation in the Spanish Cortes by popular suffrage, being among them. Other reforms of a broader and more liberal scope, such as will give Cuba a sort of administrative home-rule, were but lately submitted to the Cortes by Señor Maura, Minister of the Colonies, and, slightly modified by his successor, Señor Aharzuza, a Cuban by birth and a republican at heart, were unanimously adopted by men of all parties.

#### ORIGIN OF THE INSURRECTION.

For many years past, and while the Spanish Government was planning to grant to Cuba the above reforms, a hot-headed youth, a poet and orator, carried away by his imagination, took upon himself the task of setting Cuba free, and he started a campaign of fiery denunciation against Spain, both from the press and from the rostrum. This enthusiastic, nay, fanatic agitator, was José Martí. Strange to say, he did not attempt to preach in Cuba. All his philippics were delivered from a safe distance—either from the United States or Central or South America. He went from place to place, visited all the cigar factories where Cubans were employed, fired their hearts and turned their heads with his eloquence, and taxed their purses towards one end: the conquest of Cuba.

Yes, the conquest of Cuba, for the present insurrection was planned outside the Island, was fed from without, all the chief leaders came from without and the arms and ammunition have been constantly sent from without to sustain the movement.

## ATTITUDE OF CUBAN REFUGEES.

It is not the inhabitants of Cuba who have revolted against Spain, but the few thousand Cubans who reside in the United States and elsewhere. Now, the great majority of these Cubans have acquired American citizenship through a long residence here, and have thereby forfeited all right to be considered Cubans. They cannot be Cubans and American citizens at one and the same time. They are naturalized here, they follow their pursuits here, they have adopted the United States as their country, and they have no right to speak in the cause of Cuba as Cubans, much less to take arms against a nation with which the United States, the country of their adoption, is at peace.

By so doing they show that they care not a tittle for their American citizenship, and that they have only acquired it as a cloak to protect them in their evil designs. While we, Americans, are proud of giving shelter to political refugees from all lands and welcome to our country those who renounce their allegiance to European potentates; while we invite the oppressed of every nation to come here and enjoy the blessings of liberty and freedom, it is revolting to our patriotic feeling to find that our hospitality is abused and that the most sacred of our institutions, the most valued of all our possessions, that of American citizenship, is only used as a temporary cloak for men who avail themselves of the protection it affords to further their own individual ends, even at the cost of involving this country in international complications.

For, be it observed, these new-fledged American citizens who wage war against Spain from the United States and send armed expeditions to feed the Cuban insurrection, have no business in the Island of Cuba, no possessions of any kind

there, no interests at stake. They were simply born there; many came here during their childhood, and yet, should the Island become independent from Spain, they would readily throw over their American citizenship and return to Cuba to profit by the political changes in the Island.

Is the opinion of such persons entitled to respect and worthy of consideration? Is their clamoring to be taken as the expression of the will of the inhabitants of Cuba? Do they voice the sentiments, the aspirations, the wishes of the people who have holdings and business interests in the Island?

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## III.

## DOES CUBA WANT TO BE FREE?

It would be well to pause before answering this question : Does Cuba want to be free? It would be wise, before answering, to examine the question closely. We must confess that "Free Cuba" sounds very well to American ears, but there should be more than an empty sound in it to satisfy the thinking mind.

Does Cuba want to be free?

Well, *who* are the people of Cuba? Are a few thousands of Cubans scattered throughout the United States, who have become American citizens, are *they* Cuba? Are a few thousand mulattoes and hot-headed youths, led by a few agitators who have gone to the Island from abroad and are now roving through the mountains, burning plantations and wrecking trains, are *they* Cuba?

The former are about ten thousand in number, the latter are not more than twenty thousand: thirty thousand in all, refugees, outcasts, bandits, agitators, demagogues, ignorant mulattoes; are *these* Cuba?

## THE PEOPLE OF CUBA.

No. Cuba has a population of about one million and a half inhabitants. Of these, all but the twenty thousand encamped in the mountain fastnesses, are opposed to the independence of the Island. Not a town, not a seaport, has

hoisted the flag of secession. At Havana, at Santiago de Cuba, at Cienfuegos, at Matanzas, at Nuevitas, at Guantánamo, at Manzanillo, at all the seaports, the landing of Spanish troops has been hailed with delight, and all the streets have been decorated with flags and bunting to celebrate their arrival. Does this look as if Cuba wanted to be independent? It is fair to assume that if the majority of the inhabitants of Cuba wanted to be free from Spanish rule, no Spanish army would be sufficient to quell the movement.

But those who know anything about Cuba, well know that all the land-owners, sugar planters, tobacco growers and manufacturers, the bankers, merchants, in fact, all the business men in Cuba are opposed to the secession of the Island, for to them independence would mean political chaos and total ruin. Should, then, the insensate desire of twenty thousand rebels be placed in the balance with all the business interests in the Island? Should the clamor of a few roving guerilla bands weigh more in the estimation of thinking Americans than the quiet and steady pursuit of their business of one million and a half people?

To show sympathy with the secessionists is to show ignorance of what is going on in Cuba, for no intelligent American would sympathize with outlaws who seek by the employment of dynamite and the torch to destroy the lives and the property of unoffending people. What if the political cry of these rebels be Free Cuba! When the great, the overwhelming majority of the inhabitants is against secession, that cry ceases to be the rallying cry of a people and becomes the clamor of a rabble.

#### OUR PLAIN DUTY.

To us, as Americans, it would be a source of gratification to see the last vestige of monarchical rule disappear from



this hemisphere, and no doubt the time will come when our aspirations in this respect shall be fulfilled. But the question which confronts us at the present moment is not to be decided by sentimental feeling. Is the present Cuban rebellion likely to further the accomplishment of that desire? Has it assumed such proportions as warrant our interference? Can we consistently lend a helping hand, either ~~morally or~~ materially, to the insurgents without stultifying ourselves before the world and without violating, not only international laws and the obligations imposed on us by our treaty with Spain, but also that Christian principle which has been laid down as the golden rule for all mankind? Shall we do to others what we would never suffer others to do to us? This is the question before us.

#### THE MAJORITY RULE.

No matter what we may say or do, Spain has just as much right to Cuba as the United States has to any of our Western States. She has held undisputed possession of Cuba for the last four hundred years—ever since she discovered America—and she is determined to keep it at any cost. If the Cubans want to be free, they will have to gain their independence by force of arms, as other Spanish possessions have done. But, as we have shown, the great majority of Cubans do not desire independence, and why should we, Americans, seek to dictate to the inhabitants of Cuba what they should have? Why should we uphold and aid a small minority in the attempt to impose their will upon the great majority? Why should we interpose at all? So long as our peace is not menaced, so long as our commerce is not disturbed, so long as Spain fulfils the obligations imposed upon her by her treaty with us, we have no right to meddle

in the family quarrel. If we were to take sides with all the insurgents who now and again disturb the peace of every Spanish-American republic, we should indeed be kept busy.

It may be argued that Americans cannot consistently, with their principles, remain indifferent to the appeal of an oppressed people who clamor for freedom and independence. This would be true—if it were true! But we have shown that Cuba, that is, the wealthy, intelligent and industrious classes, the immense majority of the Cuban people, have not made any such appeal, nor do they want to sever their connection from Spain. We have heard the clamor of twenty thousand malcontents who have nothing to lose, but we seem to forget that there are in Cuba, on the other side, one million and a half people from whom yet nothing has been heard.

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## IV.

## POLITICAL PARTIES IN CUBA.

There are in Cuba three regularly organized political parties, with their central juntas, committees and clubs scattered throughout the Island. These parties are: the *Union Constitucional*, composed of conservative Spaniards, who wish Cuba to be governed like any other Spanish province; the *Reformista*, composed of Spaniards and Cubans, who favor the adoption of liberal reforms, and the *Autonomista* or home-rule party, composed mainly of native Cubans, who aspire to a form of government similar to that of Canada, under the Spanish flag. With the exception of a small number of individuals who in their hearts wish it were possible for the Island to be independent of Spain and yet well governed, and a smaller number still who think that annexation to the United States would be the best solution, all the inhabitants of Cuba who are not in the insurrection belong to one of these three parties.

## THE SPANISH ELEMENT.

One fact must not be lost sight of in considering the Cuban question, and that is, that there is a large number of Spaniards established in business throughout the island. The native Cubans, as a general rule, incline more to the professions—as law, medicine, engineering, and agriculture—than to commerce and manufactures.

With the exception of a small number of sugar plantations owned and managed by native Cubans, the wealth of the Island, both as regards landed property and industrial

and commercial enterprises, is mainly in the hands of Spaniards, who marry Cuban women and settle permanently in Cuba; and a few Germans and Americans.

Naturally, the Spaniards remain firm in their loyalty to Spain. A few of them are ultra-conservatives and opposed to the adoption of liberal ideas; but the bulk of the Spaniards favor a more advanced policy, and to their party, the Reformista party, is principally due the plan of liberal reforms laid before the Spanish Cortes and adopted by it.

#### THE HOME-RULERS' PARTY.

The *Autonomistas*, or home-rulers, go a step further and want Cuba to govern herself. Still, they have accepted the plan of reforms as a step in the right direction. To this party belong the most talented natives of Cuba, who really voice the sentiments of their countrymen. This party also sends its representatives to the Spanish Congress, and they have made known to the government and people of Spain the wishes and aspirations of the native Cubans. It is to this party that we must look for the true expression of the will of the Cuban people, if by the Cuban people we mean only those born in Cuba, and if we are to disregard altogether the numerous, wealthy, and important Spanish element in the Island.

#### A PARTY PLATFORM.

At the outbreak of the present insurrection the Home-rule party issued a manifesto in which the following paragraphs occur:

\* \* \* It is a question of importance for the Autonomist party, who is the depository of the hopes and ideals of the Cuban people—as embodied in its well-matured and unswerving political platform—and the

only opposition party having a legitimate organization in this country, to make a frank statement of its position and principles. And furthermore, it is the duty of the party to unite, as far as feasible, the opinion and sentiment of all those who have faith in its loyalty, and confidence in its patriotism, especially at a time when the Supreme Government is making extraordinary efforts to suppress the rebellion, and when the entire country, and especially those who pretend to represent it faithfully, should aid to maintain order and protect general interests.

The disturbance has occurred at a time when a new order of affairs was about to be inaugurated, to obtain which our Deputies and Senators have worked with most faithful and honorable perseverance. \* \* \* This cry of insurrection has been stupidly uttered from abroad—thus placing in jeopardy other people's lives and endangering other people's interests—by a group of conspirators, totally irresponsible, who have lived many years away from the country, the real condition and needs of which they do not know, and who pretend to free others from evils which they did not wish to share with them; neither will they share to-morrow the evils which their hot-headedness and culpable machinations may bring upon us, nor will they risk the dangers which surround the misguided instruments of their folly.

The Liberal Autonomist party, which has at all times condemned revolutionary steps, should and does condemn, with more earnestness the present revolt, initiated at a time when its representatives in Congress had just voted for an organic reform of great importance. The Liberal Autonomist party condemns disorders of all kinds, because it is a legitimate party, having faith in constitutional methods, in the efficiency of campaign education, in the irresistible power of thought, and it affirms that armed revolutions, save in entirely exceptional and extreme circumstances—which rarely present themselves in the existence of a country—are great and terrible afflictions, dire calamities for an enlightened people, which, by means of peaceful evolution, the reform of institutions, and through progress and weight of public opinion, can succeed in reaching the goal of its reasonable desires and legitimate aspirations. Besides, our party is fundamentally Spanish, because we aim essentially and exclusively at home-rule. For that reason, ever since the birth of our party, we have inscribed on our banner "Liberty, Peace and National Unity."

Among the progressive conquests, peacefully obtained, mainly through the efforts of our party, it will suffice to recall the abolition of slavery and the patron-system, the adoption of the new Constitution, the liberty of the press, of public meeting, of association, of public instruction and worship, to the same extent and with the same guarantees as in the mother-country—a very important point gained for a people which until a short time ago was governed by antiquated laws. Furthermore, we have gained the suppression of the differential flag and export duties;

the reduction of more than 85 per cent. of the budget incurred by the last war; the public and official acceptance by all political parties, of a great part of our financial programme, and the recognition of the principle of decentralization, which will gradually and logically bring about the practical application of our political platform.

In lieu of these tangible advantages and of the prospective advancement so confidently expected, what can the self-appointed liberators offer us? The horrors of a civil war, a bloody struggle between sons of the same country, which may, in the near future, assume a very sinister character, leaving complete ruin in its train, and leading to fatal retrocession in the path of civilization.

#### A HOME-RULER'S VIEWS.

And lately, one of the most eminent of the home-rulers, Señor Montoro, who was sent to the Spanish Congress as a representative of the party, had occasion to visit the United States, and in an interview with a representative of a New York journal, gave expression to the following sentiments:

Señor Montoro says the importance of the revolutionary movement in Cuba has been greatly exaggerated in the United States. It began with but few elements of success a few months ago, but its inception was attended by the usual contagiousness of such movements in the tropics. The revolution has assumed limited proportions in Las Villas and Camaguey. Its greatest strength is in the eastern department of the Island, or Santiago de Cuba. The majority of the rebels there are colored people. In Las Villas and Camaguey there are some whites with them.

"How many men have taken the field?" he was asked.

"Perhaps," replied Señor Montoro, "10,000 to 15,000, all sorts and conditions of men, with the exception of a few young men, well connected, but without means or influence. The rebellion has no backing—no man of ascertained social position or wealth.

"The rebellion will end in failure. The elements of cohesion, influence and means are lacking. It is a disturbance created by a mere minority, led by men from without the Island, men who had no real knowledge of the substantial progress being made by one party for Cuban autonomy. As to the after effects, the revolution can only add to the Island's taxation by an increase in the public debt. This will be the inheritance left. Naturally, it will retard progress temporarily. It will be wholly barren of future results."

"How long will the war last?" was asked.

"It will last during the present wet season and on into the dry season," Señor Montoro replied. "During the torrential rains of the wet season the country parts of Cuba are an ocean of clayey mud such as precludes the movements of large and trained bodies of men. During the dry season, November and December, and on to May, activity will be noted."

"What has been the politico-economic situation since the men from without invaded Cuba?"

"Previous to this wholly uncalled-for invasion by outsiders, the politico-economic situation had been steadily improving. The Autonomists, or home-rulers, were working cheerfully, and were hopeful, with home-rule almost in sight, when the invasion occurred."

"Does the existing state of affairs cause your party any anxiety?"

"We fear that the invasion may temporarily check our progress.\*\*\*

"The aim and end of the party's ambition is colonial home-rule—in short a political system like Canada's, a system modified to suit our Island. Early in this year, before any invasion was thought of, the Cortes voted the Ley de Abarzuza. It was passed February 14th. This law of Abarzuza takes its name from the then acting Minister for the colonies. He is a Cuban by birth, but for many years has been a resident of Madrid. We accepted it as a compromise measure—a mean between our maximum wants and the views of the Conservatives. We accepted it as a law on which supplemental legislation could be grafted. It gave us a measure of home-rule for Cuba. A body of representatives, half nominative and half to be elected by the people of Cuba, a body competent to deal with all Cuban questions."

\* \* \* \* \*

"How long has Cuba had imperial representation by sending her Senators and Deputies to Madrid?"

"Since 1878, or the close of the ten years' war. During the early years following the war, our efforts as a party in the Senate and Cortes were devoted to measures for the abolition of slavery in Cuba, and the acquiring of public liberties for all classes—white and colored. Previous to 1879 the whites in Cuba had social privileges, according to the ancient laws of Spain, but they had no political rights. *To-day all classes in Cuba enjoy the fullest measure of social and political rights.* The Autonomist deputies in Madrid and Cuba have been greatly aided by the press. A primary and most important feature of our work was the abolition of slavery and the acquisition of full rights for all." \* \* \*

"Will the Autonomist party give any aid to the rebels?"

"No. We are pledged by our promises and history to oppose all such attempts—firmly pledged by our entire platform. The rebels have

had neither moral nor material support from the Autonomist party. The Autonomist party is pledged to support Spain. We are perfectly loyal to her. We want home-rule under the Spanish flag."

"What do the Cubans think of General Martinez Campos?"

"General Martinez Campos enjoys popularity in Cuba. He is the man for the time and the emergency. He closed the 1868 to 1878 war amid the applause and heartfelt thanks of the Cubans. As a great military commander he needs no praise of mine. He is a man of superior intelligence, of broad and advanced ideas—a man with a noble and kind heart. Gen. Campos can solve the difficulty now, as formerly. He has the confidence of all true Cubans irrespective of color or station in life. This has great moral weight on the Island. They now rely on him to re-establish peace and maintain it. The autonomists to a man are friendly to him." \* \* \* \*

"Is there any annexation talk in Cuba?"

"No practical politician would think of such a thing. It is not an issue. It has not been thought of. *We, Cubans, want Cuba for Spain.* To repeat my earlier statement, home-rule for Cuba, *under the Spanish flag.*"

"If such a feeling existed, is Cuba sufficiently advanced to become an American dependency?"

"No one has thought of such a thing. The Cubans are Hispano-Americans. Their ways of living and methods and religion are those of Spain. Cuba could not be assimilated by any power. Cuba in the future, as in the past, will be a Spanish colony. As a people, we are in our infancy. Seventeen years ago we had slavery, and it existed as late as 1886. Besides, consider the climatic conditions—we are a tropical people."

"If home-rule be accorded to Cuba, will the home-rulers ever become a source of danger to Spain?"

"No, Cuba is a Spanish colony. We want a local government like Canada, her rights and privileges, *but we want them under the Spanish flag.* Owing to the many elements in Cuba, recently a slave-holding country, we must have a good and firm government; *Cuba could not govern herself.*"

"What caused the present revolution?"

"It was fully elaborated in New York by the late José Martí and others. They were in touch with a few rebellious spirits in Southern Cuba. It so developed, and came wholly from without."

"Is your party composed solely of whites?"

"By no means. Many of our members are colored people, loyal to Spain and loyal to Cuba. In conclusion, the revolution cannot succeed. Morally, the revolution is crushed. Our hopes were at a zenith when aliens invaded our Island."



## V.

## STEREOTYPED MISREPRESENTATIONS.

Among the misrepresentations which have come to be looked upon as incontrovertible truths by a too credulous public, are the following:

That the Cubans are oppressed;

That they are tax-ridden ;

That they do not hold public offices;

That Cuba is drained of her wealth to fill the coffers of Spain.

These have become stereotyped phrases in the newspapers and in the speeches of sympathizing orators, who either do not know what they are talking about, or who say these things for effect, in order to influence public opinion—for a consideration oftentimes. It is evident that some of the correspondents sent to Cuba by the American newspapers have fallen, as it were, while in the field of operations, under the uncontrollable influence of the rebel leaders. They have taken good care to shed no light on the Cuban question, but on the contrary, have done their best to misinform and mislead the public. Had they been truthful, they would have said what everybody in the Island, and many outside of it, know to be the facts, viz.: that Cubans enjoy entire political liberty ; that they are not taxed as heavily as we are in the United States ; that Cubans are to be found in all public offices, and that, more favored than the Spaniards, they are exempt from military and naval service in the rank and file, although they can be, and many are, officers in both army and navy ; and lastly,

that Cuba, far from being a source of revenue to Spain, is a constant drain upon her treasury.

All these facts ought to be familiar to those who speak or write about Cuba; but when an important daily paper asserts in an editorial article that Spain has three times promised to Cuba representation in Congress and has each time broken her promise, in spite of the well known fact that Cuba has for many years past been represented in the Spanish Cortes, is it to be wondered at that such gross misrepresentations should find credence?

#### SOCIAL AND POLITICAL RIGHTS.

Anybody who has visited Cuba and has had an opportunity to study its customs, its manners, and its social and political life, knows that its people enjoy the same political liberties and civil rights as their brethren of the Peninsula, and we have no less an authority than that of the great orator and republican, Emilio Castelar, for the statement that Spain enjoys to-day all the political freedom which is consistent with a monarchical form of government, as much liberty, indeed, as any other country under the same form of government. And Señor Montoro, the Cuban home-ruler, as quoted above, declares that "*to-day all classes in Cuba enjoy the fullest measure of social and political rights.*"

The political and administrative reforms adopted by the Spanish Cortes for Cuba, with the hearty concurrence of all parties, just before the present insurrection broke out, and which will be put in operation as soon as peace is restored, will give the two Antilles a greater measure of liberty than even that which is enjoyed by their sister provinces in the mother country.

## WHAT DO THE CUBANS WANT.

It is such reforms as these, and a few other measures, such as the abolishment of the existing commercial laws between Spain and Cuba, the enactment of more liberal navigation laws and a revision of the tariff, which will satisfy the great majority of the Cubans, meaning by this not only the native population, but also the more progressive and far-seeing of the Spaniards residing in the Island.

These are the *bona fide* demands which Cuba and Porto Rico make upon Spain, and these they respectfully present and submit to the Cortes through their elected representatives. Spain, as history shows, has been granting to both Antilles all the reforms they have asked for, including the abolition of slavery, slowly and gradually, but surely. Would it not be justly considered an unwarrantable interference on the part of the United States were she to intermeddle in this matter by urging Spain to comply with the above demands made by the majority of the Cubans through their senators and representatives? What then is to be thought of the proposed interference by the United States on behalf of a very small minority, which have placed themselves beyond the pale of the law, by taking up arms and making raids, not only upon the property of the Spanish government, but also upon the property of peaceful citizens? How can the United States consistently, with her boast of being in the vanguard of civilization, go out of her way to give moral aid and support to a few scattered guerrilla bands that are disturbing the peace of a friendly nation, burning plantations, destroying railroads, telegraphs and bridges, and using dynamite with the relentless fury of anarchists? How low must those hold the dignity of our nation who urge Congress and the government to

take sides with such desperadoes, and recognize them as respectable and civilized belligerents !

#### CUBAN TAXATION.

The assertion that the present rebellion is due to the intolerable oppression of the Cubans by Spain in burdensome taxation is disproved by the character of those in arms. Does any intelligent person imagine that those bandits and mulattoes are tax-payers ? And their agents, friends and sympathizers in the United States, are they in any way affected by the taxes in Cuba ? No ; the taxes have nothing to do with the present rebellion, nor are the taxes in Cuba so high as to excite anybody's indignation.

They can certainly be made to appear very high by juggling with the figures, as the malicious correspondent of a prominent New York paper has done in a letter from Havana, wherein he states that the annual taxation of the Island of Cuba amounts to \$93,400,000 ; and in order to make it reach this sum he proceeds to doctor the items and the figures in the most extraordinary manner.

As many persons, not having any means of verifying this statement, may have given it credence, it will not be amiss to expose here the methods by which the public is willfully misled. There are very few, among those who declaim against the burdens imposed by Spain on Cuban tax-payers, who take the trouble of ascertaining what is the amount of taxation in Cuba.

#### GOVERNMENT ESTIMATES.

We have before us the official text of the budgets for the Island of Cuba for the fiscal year 1895-6, and we can, there-

fore, supply the figures. The total expenditures are estimated at \$26,095,244.19, divided as follows:

General expenses.....	\$12,578,335 60
Department of Justice.....	995,693 51
War Department.....	5,896,740 78
Treasury Department.....	762,125 00
Navy Department.....	1,055,186 13
Department of the Interior.....	4,086,088 23
Public Works.....	771,125 00
	<u>\$26,095,244 19</u>

The total revenues of the Island are estimated at \$24,755,759,87½, although they actually yield no more than \$22,000,000. The different sources of revenue are as follows:

#### DIRECT TAXES AND IMPOSTS—

•Including all taxes on real-estate, mining, industries, excise, inher- itances, etc.....	\$7,049,500 00
-------------------------------------------------------------------------------------------------	----------------

#### INDIRECT TAXES—

Custom-House revenue.....	11,890,000 00
Revenue stamps taxes.....	2,174,659 87½
Lottery revenues.....	3,104,000 00
Public lands and properties.....	399,000 00
Contingent revenue.....	188,600 00
	<u>\$24,755,759 87½</u>

To the student of economics these will not appear as very oppressive taxes, considering the wealth and population of the Island of Cuba. Indeed, it will surprise many who know the value of its extensive sugar and tobacco plantations, with an annual production of nearly \$100,000,000, to learn that the total revenue derived from the taxes on rural properties amounts to only \$316,000.

## VI.

## THE COMMERCIAL STAND-POINT.

It has been proved that the people of Cuba do not want the independence of the Island, and now I will demonstrate that Cuban independence, from a commercial point of view, would not be advantageous to the United States.

Of all the countries south of us, the Spanish West Indies are foremost in business relations with the United States. Our trade with Cuba and Porto Rico is larger by far than any we have with either Mexico, Central America, or some of the republics of South America, and even Canada does not make a better showing than the Spanish Antilles, if we take the *per capita* rate of importations from the United States.

Figures are uncontrovertible arguments, and they clearly show that the fiscal laws of Spain are not so oppressive as to obstruct the commerce between her two islands and their best and principal market, that of the United States. Besides, I might quote some diplomatic correspondence in evidence of Spain's constant readiness and desire for negotiating commercial treaties with the United States, in lieu of the many-times renewed, extended, but unsatisfactory *modus vivendi*.

## COMPARATIVE TRADE-STATISTICS.

The following statistics from the "U. S. Treasury Department Report on Foreign Commerce and Navigation," for the year ending June 30, 1893, show the importance of our commerce with the Spanish islands:

	U. S. IMPORTS.	U. S. EXPORTS.
Cuba.....	\$78,706,506	\$24,157,698
Porto Rico.....	4,008,623	2,510,607
	<hr/> \$82,715,129	<hr/> \$26,668,305

Now let us compare these figures with the following, referring to our trade with the other West Indies islands:

	U. S. IMPORTS	U. S. EXPORTS
British West Indies....	\$16,028,592	\$8,044,846
French West Indies....	8,840	1,818,955
Santo Domingo.....	2,868,620	1,448,479
Haiti.....	786,021	5,472,940
	<hr/> \$19,141,573	<hr/> \$16,779,820

Mexico, notwithstanding its proximity to our territory and its railroad communications with the United States—and the fact that its population is seven or eight times larger than that of Cuba—only makes the following array, under the same columns:

	U. S. IMPORTS.	U. S. EXPORTS.
Mexico .....	\$33,555,099	\$19,568,634

Altogether the five republics of Central America buy in the United States only one-fifth of the amount bought by Cuba and Porto Rico, according to the following official statistics.

	U. S. IMPORTS.	U. S. EXPORTS.
Costa Rica.....	\$2,309,558	\$1,210,740
Guatemala*.....	2,554,578	1,763,862
Honduras.....	664,912	471,695
Nicaragua.....	1,398,867	937,859
Salvador.....	1,355,730	1,188,430
	<hr/> \$ 8,603,675	<hr/> \$ 5,533,086

Let us now look at the figures relating to South America :

Venezuela sells us \$3,625,118 and buys \$4,207,661. Colombia sends us \$3,571,918 and buys \$3,155,777. All Central America, Mexico, Colombia and Venezuela combined, Spanish-speaking countries not under Spanish rule,—are hardly ahead of Cuba and Porto Rico.

Brazil, with a population of nearly 10,000,000 and which is considered as a good field for our exports, only buys \$12,388,124, and the rest of South America, comprising the Argentine Republic, Bolivia, Chile, Colombia, Ecuador, Peru and Venezuela are customers of the United States to the extent of merely \$17,768,666—almost ten millions less than Cuba and Porto Rico.

The two islands under Spanish rule, according to official trade-statistics are, indeed, very profitable neighbors for the United States. Does any one imagine that they would do as well if they were free and independent republics? Any one who knows the constituent parts of their population must needs be convinced that, if left to govern themselves, those two islands would soon follow in the footsteps of Santo Domingo and Hayti.

#### INEVITABLE CALAMITIES WOULD FOLLOW.

One of the first effects of the independence of Cuba, would be to drive away the valuable Spanish element who now contribute so considerably to the wealth and the intelligent development of the Island. The exodus of that element would carry with it the wives and children, who form a considerable part of the white native population, and, as a natural consequence, the blacks would then predominate and rule the Island.



No matter how you may turn or twist things, this would be the inevitable result of Cuban independence. It would leave at our doors a very quarrelsome and disturbing element, which would suddenly but surely cease to be a profitable factor in our foreign trade. If American producers and manufacturers knew the true condition of affairs in Cuba, they would strenuously oppose any attempt at freeing the Island from Spanish rule.

#### ANNEXATION OUT OF THE QUESTION.

No one, of impartial and sound mind, will contend that the acquisition of the Island of Cuba, at the present time, would be of any advantage to the United States. I will not enter into the merit of this proposition; I will simply dismiss it with the statement that the United States are not anxious to swallow a pill, even sugar-coated, but unassimilable to its political pharmacopæ. Cuba is too thoroughly Spanish to be Americanized at short notice, and become a good and peaceful member in the family of American States.

Besides, Spain does not seem willing to relinquish the Island, nor do the Cubans themselves wish to become part of a country, so dissimilar in every respect to their own.

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## VII.

## CHARACTER OF THE INSURRECTION.

Nothing is easier than to draw a crowd together and make them cheer enthusiastically for something which they know nothing about. Such has been the case of late in several parts of the United States in regard to the Cuban insurgents. Many who have passed resolutions of sympathy with the rebels, and have even signed petitions urging the Government to recognize them as belligerents, would be ashamed to own that they had done so if they knew who those rebels are and what atrocities they are committing. These sympathizers have been misled by the Cuban refugees, and their mouth-piece in the American press, into believing that the rebels are Cuban patriots, oppressed and tax-ridden and deprived of every liberty; who have raised the banner of independence and are followed by the whole population of the Island in their revolt against Spanish tyranny.

The fact of the matter is that the great bulk of the insurgents is composed of ignorant negroes and mulattoes who were left without employment at the end of the grinding season, and who were easily led into the rebellion by chiefs of their own race and ilk. Now let us see who these chiefs are.

## MAXIMO GOMEZ.

Maximo Gomez calls himself the general-in-chief of the patriots. Is he a noted statesman or politician? Is he a financier or a merchant? Has he any interests in Cuba? No; he

is a foreigner, a native of Santo Domingo, and to judge by his acts, an adventurer. He fought on the side of the Cubans in the rebellion of 1868-1878, while a few years before he had fought on the side of Spain in the war against Santo Domingo, his own country. According to an agreement made between him and General Martinez Campos, Gomez received from the latter a sum of money and left the Island.

But, to show to all the world how little the cause of the rebellion concerned him, in 1878, after the conclusion of the war, he published in Kingston, Jamaica, a pamphlet in which he adduced arguments to prove that CUBA COULD NOT BE FREE. This is the man who has kindled war anew in Cuba, raising the cry of independence.

#### ANTONIO MACEO.

The right hand of Maximo Gomez is Antonio Maceo. He is an illiterate mulatto, and the men whom he has drawn into this unhappy conflict are colored men. Maceo has never figured as a public man. Before becoming a liberator he was a common muleteer. Of a daring spirit, he exercises, notwithstanding his low origin, considerable influence over the negroes of Guantánamo; but he is a cipher on the wrong side in the productive forces of the country; he is engaged in the present struggle because he has a passion for war, and the whites of the party regard him with disfavor.

#### DIONISIO GIL.

Another rebel leader, Dionisio Gil, is, like Gomez, a native of Santo Domingo; he has never figured in any way in Cuba; nor, as far as is known, has he any interests in the

Island ; and he may therefore be placed in the category of adventurers. If it is not self-interest that has launched him into war it is certainly not patriotism, for he is a native of another country and a stranger in Cuba.

#### THE DYNAMITER ROLOFF.

Carlos Roloff, the most inhuman and ferocious of the rebel leaders, is also a foreigner. He lived for some time in Cuba but he never attained any prominence there. He has fought in other wars, and everything points to the conclusion that he is a man who is fond of adventure and who has no love for any country. He was born in Poland and he is a Jew ; and by his acts proves to be a nihilist and a dynamiter.

#### OTHER BANDIT CHIEFS.

These are the principal leaders of the present insurrection ; but side by side with them, and enjoying all their confidence, figure a number of bandits, each of whom is the leader of a guerrilla band. Their principal exploits before the breaking out of the insurrection, consisted in kidnapping individuals and taking forcible possession of the property of others. Their names are : Mirabal, Matagás, Regino Alfonso, and Miró ; the last named is a criminal who is a fugitive from justice. Such are the men who figure in the "patriot" party ; and as their history is known to the Cuban people, their names naturally lend no moral support whatever, but, on the contrary, cast a great discredit on the cause of "Free Cuba." No cause, were it even a just one, could triumph with the support of men who are beyond the pale of the law.

## NEGROES AND FOREIGNERS.

Others of the guerrilla chiefs are negroes. Only one of the leaders is known to be a man of means—Massó, a white man, but without any political influence outside his own district. Others of the leaders, previous to the breaking of the insurrection, lived outside of Cuba, and are citizens of other countries; they have therefore an adopted country which is not Cuba, and their presence in the Island now may logically be attributed to unworthy motives, to conceal which they invoke the names of patriotism and liberty.

These are incontrovertible facts and cannot fail to attract the attention of thinking men in other countries where public opinion has been misled by false reports as to the real character of the rebellion. If the movement was of a patriotic character, with noble and lofty aims, assuredly the leaders would not be foreigners but natives of the country, who would shed their blood on the field of battle in the cause of liberty. They would not make common cause with bandits; for no party who aspires to govern a country would accept the aid of outlaws, for this would be attacking an honorable principle at its very foundation.

## RUIN AND DESTRUCTION.

But acts speak louder than words. It is now publicly known that the rebels are burning, day after day, villages plantations, and private houses. This being contrary to the usages of civilized warfare, is it not natural for the impartial observer to ask himself to what purpose this wanton destruction of private property will serve? If the owners of the destroyed

property sympathize with the revolution, does anyone suppose that their possessions, doubtlessly the product of a life-time of labor, would be burned? No; these planters are ruined because they are loyal to Spain; because the welfare of Cuba, whose resources they are developing by their intelligence and their honorable labor, is dear to them. To the villages the rebels apply the incendiary torch because their inhabitants are loyal to Spain, and do not want to be freed by force.

Modern civilization condemns acts of savagery, and such are the acts of the rebel leaders—acts against which the immense majority of the Cuban people, who remain loyal to Spain, protest.

#### SHOULD AMERICANS SYMPATHIZE?

Such are the men on whose behalf the sympathies of law-abiding Americans are being solicited. We are told that it is our duty to help those men, with heart and hand, to obtain possession of that rich island; in other words, that we should be their accomplices in a robbery. They want to supplant Spain; they want to sweep the Spanish army from the Island; they want to drive the Spanish navy from Cuban waters; they want to rule over the people who are in possession of the cities, the towns, the villages, the farms, the tobacco fields, the sugar plantations, the mills, the factories, the mines, the stores, the railroads, the steamers and the docks of Cuba, and as they are not strong enough to do this alone, they ask us to help them to do it.

They ask our sympathy and our moral support. Why must they come so far for sympathy and support? Why is it that they cannot enlist the sympathies or the support of the

rest of the Cuban population? Why is it that not a single city, not a town, not a village in the whole Island has raised the rebel flag? Why is it that not a single corporation or institution in the whole Island has pronounced in their favor? It is simply because their character and aims are too well known there to deserve any sympathy or aid. They must seek these where their past lives are not known, where their names are held up by the press as those of patriots, and where their crimes and atrocities are represented as heroic deeds. This is why they appeal to the United States for recognition as belligerents.

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## VIII.

## RECOGNITION OF BELLIGERENCY.

Belligerents, forsooth! How little this term is understood, and how greatly it is abused! Recognition of rebels against a friendly nation is not a question of sentiment, but a question of international principle and law. There must exist, not a theory, but a condition, in order to deserve recognition by a great civilized power.

Wheaton, in his *Elements of International Law*, lays down this rule as regards the conduct of foreign *States* towards another nation involved in civil war:

"Until the revolution is consummated, whilst the civil war involving a contest for the government continues, other States may remain indifferent spectators of the controversy, still continuing to treat the ancient government as sovereign, and the government *de facto* as a society entitled to the rights of war against its enemy; or may espouse the cause of the party which they believe to have justice on its side. In the first case, the foreign State fulfills all its obligations under the law of nations; and neither party has any right to complain, provided it maintains an impartial neutrality. In the latter, it becomes, of course, the enemy of the party against whom it declares itself, and the ally of the other; and as the positive law of nations makes no distinction, in this respect, between a just and an unjust war, the intervening State becomes entitled to all the rights of war against the opposite party."

Mr. R. H. Dana, in one of his notes to Wheaton's *Elements of International Law*, quoted above, says:

"The occasion for the accordance of belligerent rights arises when a civil conflict exists within a foreign State. The reason which requires and can alone justify this step by the government of another country, is that *its own rights and interests are so far affected as to require a defi-*



*nition of its own relations to the parties.* Where a parent government is seeking to subdue an insurrection, and the insurgents claim a political nationality and belligerent rights which the parent government does not concede, a recognition by a foreign State of full belligerent rights, *if not justified by necessity, is a gratuitous demonstration of moral support to the rebellion, and of censure upon the parent government.* \* \* \*

Recognition is *of a fact.* The tests to determine the question are serious and far more decisive where there is maritime war and commercial relations with foreigners. Among the tests, are the existence of a *de facto* political organization of the insurgents, *sufficient in character, population and resources, to constitute it, if left to itself, a State among the nations, reasonably capable of discharging the duties of a State;* the actual employment of military forces on each side, *acting in accordance with the rules and customs of war;* and at sea, *employment by the insurgents of commissioned cruisers* and the exercise by the parent government of the rights of blockade of insurgent ports against neutral commerce, and of stopping and searching neutral vessels at sea. If all these elements exist, the condition of things is undoubtedly war.

"As to the relation of the foreign State to the contest, if it is solely on land, and if the foreign State is not contiguous, *it is difficult to imagine a call for the recognition.* If the foreign State recognizes belligerency in the insurgents, it releases the parent State from responsibility for whatever may be done by the insurgents, or not done by the parent State where the insurgent power extends."

#### RECOGNITION OF THE SOUTHERN CONFEDERACY.

The United States had some experience in this line, during the war of secession. American statesmen had something to say in regard to the recognition of Confederate rebels by foreign powers, and they said it forcibly.

We will append here a few utterances which we find in diplomatic correspondence, by way of illustration :

WE INSIST THAT A NATION THAT RECOGNIZES A REVOLUTIONARY STATE, WITH A VIEW TO ITS EFFECTING ITS SOVEREIGNTY AND INDEPENDENCE, COMMITS A GREAT WRONG AGAINST THE NATION WHOSE INTEGRITY IS THUS INVADED, AND MAKES ITSELF RESPONSIBLE FOR A JUST AND AMPLE REDRESS. \* \* \* To recognize the independence of a new State, and so favor, possibly determine, its admission into the family of nations, is the highest possible exercise of sovereign power, because it affects in any case the welfare of two na-

tions, and often the peace of the world.—(William H. Seward to Chas. Francis Adams, April 10th, 1861.)

As to the recognition of the so-called Southern Confederacy, it is not to be made a subject of technical definition. A concession of belligerent rights is liable to be construed as a recognition of them. No one of these proceedings will pass unquestioned by the United States in this case.

Hitherto, recognition has been moved only on the assumption that the so-called Confederate States are *de facto* a self-sustaining power. Now, after long forbearance, designed to sooth discontent and avert the need of civil war, the land and naval forces of the United States have been put in motion to repress insurrection. The true character of the pretended new State is at once revealed. It is seen to be a power existing in pronunciamiento only. It has never won a field. It has obtained no forts that were not virtually betrayed into its hands or seized in breach of trust. It commands not a single port on the coast nor any highway out from its pretended capital by land. Under these circumstances Great Britain is called upon to intervene and give it body and independence by resisting our measures of suppression. British recognition would be British intervention, to create within our territory a hostile State by overthrowing this republic itself.—(William H. Seward to Chas. Francis Adams, May 21st, 1861).

What is now seen in this country is the occurrence, by no means peculiar, but frequent in all countries, more frequent even in Great Britain than here, of an armed insurrection engaged in attempting to overthrow the regularly constituted and established government. There is, of course, the employment of force by the government to suppress the insurrection, as every other government necessarily employs force in such cases. But these incidents by no means constitute a state of war impairing the sovereignty of the government, creating belligerent sections, and entitling foreign States to intervene or to act as neutrals between them or in any other way to cast off their lawful obligations to the nation thus for the moment disturbed. Any other principle than this would be to resolve government everywhere into a thing of accident and caprice, and ultimately all human society into a state of perpetual war.—(William H. Seward to Chas. Francis Adams, June 19th, 1861).

#### OUR DIPLOMACY TOWARDS SPAIN.

Even the arguments brought by our own statesmen before the government of Spain, to prevent its recognition of the Southern Confederacy, might fitly apply to the Cuban rebellion. Mr. Perry, our Chargé d'Affaires at Madrid, explaining

the interview he had with the Minister of State, señor Calderon Collantes, writes as follows :

Secession was filibustering struck in. I explained that, unhappily, a class at the south called by the slave owners "mean whites" were quite ready to follow their lead, and were a terrible instrument in their hands. Their own ignorance, their dependence upon the richer class, and their contact with the blacks had gradually reduced them, intellectually and morally, to a point of which, perhaps, there were few exceptions in the Anglo-Saxon race. They were as reckless of danger as they were of right, as ready to embark for the fever lakes of Central America as for the sugar fields of Cuba, or the wilds of Kansas, or a campaign against the government of their country.

This was good material for a rebel soldiery; and under the more intelligent lead of the slave owners this revolt was undoubtedly serious and would cost blood. But the result was not doubtful. The disparity of force and resources on the part of the government was too overbalancing to leave the rebels a chance of long prolonging the struggle.

Happily, between the ambitious class of slave owners and the so-called "mean whites," their instruments, there was a middle class in the south, more numerous than the two together, loyal to the Union and the Constitution. These loyal citizens were now held in a state of duress by the violence and intimidation employed by the slave owners and their instruments. His Excellency would have noticed that from the beginning to this day the rebels had not obtained the sanction of a popular vote to any of their high acts.—(Horatio J. Perry to W. H. Seward, Madrid, June 18, 1861.)

#### THE ATTITUDE OF SPAIN.

The representations made by our diplomatic agent were well heeded by the Spanish Government, as he wrote further :

The Minister of State not only renewed to me the assurance given to Mr. Preston, but amplified it, stating absolutely that if any commissioners or other negotiators should appear in behalf of the so-called Confederate States, the government would not see them nor recognize them in any capacity; that Spain would have nothing to do with the rebel party in the United States in any sense.

I might write this to my government, and say besides that her Majesty's first Secretary of State had promised me that within a few days, as soon as it could be declared, a decree would be issued by this government prohibiting all Spaniards from taking service on either side, and

ordering all the subjects of Spain to maintain complete neutrality in the contest now begun in the United States; that she would prohibit the entrance of southern privateers into any of her ports, peninsular and colonial, and prohibit the furnishing of any supplies to the rebels, whether arms, provisions, coals, ships, or any other merchandise which might aid in their revolt against the government of the Union. Armed ships, with their prizes would not be permitted to enter her ports. Spanish subjects would be forbidden to accept any letter of marque or other such document, or serve on board of any privateer; and no fitting out of vessels for the purpose of taking part in hostilities against the United States could be permitted, but impeded with vigor and severity.

The royal decree, issued shortly afterward, contained the following preamble :

Taking into consideration the relations which exist between Spain and the United States of America, and the desirability that the reciprocal sentiments of good intelligence should not be changed by reason of the grave events which have taken place in that republic, I have resolved to maintain the most strict neutrality in the contest begun between the federal States of the Union and the States confederated at the south.

The decree, containing several provisions to maintain strict neutrality, was acknowledged to be entirely satisfactory to the government at Washington.

#### GEN. GRANT AND THE CUBAN INSURRECTION.

But we have still another authority and a state document bearing directly upon the insurrection in Cuba and its recognition by the United States, to show that such a measure at the present time would be wholly unjustifiable and antagonistic to the best interests of our country.

In the annual message of President Grant to Congress, in 1875, when a former insurrection in Cuba had been in existence for seven years, the whole subject of recognition, both of belligerency and independence, and of intervention or

mediation, was carefully considered and presented in the following paragraphs, which make, just now, very interesting reading, voicing, as they do, the opinion of one of our most eminent statesmen, and an acknowledged high military authority on the subject.

The past year has furnished no evidence of an approaching termination of the ruinous conflict which has been raging for seven years in the neighboring Island of Cuba. The same disregard of the laws of civilized warfare and of the just demands of humanity which has heretofore called forth expressions of condemnation from the nations of Christendom has continued to blacken the sad scene. Desolation, ruin, and pillage are pervading the rich fields of one of the most fertile and productive regions of the earth, and the incendiaries' torch, firing plantations and valuable factories and buildings, is the agent marking the alternate advance or retreat of contending parties.

The protracted continuance of this strife seriously affects the interests of all commercial nations, but those of the United States more than others, by reason of close proximity, its larger trade and intercourse with Cuba, and the frequent and intimate personal and social relations which have grown up between its citizens and those of the Island. Moreover, the property of our citizens in Cuba is large, and is rendered insecure and depreciated in value and in capacity of production by the continuance of the strife and the unnatural mode of its conduct. The same is true, differing only in degree, with respect to the interests and people of other nations; and the absence of any reasonable assurance of a near termination of the conflict must, of necessity, soon compel the States thus suffering to consider what the interests of their own people and their duty toward themselves may demand.

I have hoped that Spain would be enabled to establish peace in her colony, to afford security to the property and the interests of our citizens, and allow legitimate scope to trade and commerce and the natural productions of the Island. Because of this hope, and from an extreme reluctance to interfere in the most remote manner in the affairs of another and friendly nation, *especially of one whose sympathy and friendship in the struggling infancy of our own existence must ever be remembered with gratitude*, I have patiently and anxiously waited the progress of events. Our own civil conflict is too recent for us not to consider the difficulties which surround a government distracted by a dynastic rebellion at home, at the same time that it has to cope with a separate insurrection in a distant colony. But whatever causes may have produced the situation which so grievously affects our interests, it exists, with all its attendant

evils operating directly upon this country and its people. Thus far all the efforts of Spain have proved abortive, and time has marked no improvement in the situation. The armed bands of either side now occupy nearly the same ground as in the past, with the difference, from time to time, of more lives sacrificed, more property destroyed, and wider extents of fertile and productive fields and more and more valuable property constantly sacrificed to the incendiaries' torch.

In contests of this nature, where a considerable body of people, who have attempted to free themselves of the control of the superior government, have reached such a point in occupation of territory, in power, and in general organization as to constitute in fact a body politic, *having a government in substance as well as in name*, possessed of the elements of stability, and equipped with the machinery for the administration of internal policy and the execution of its laws, prepared and able to administer justice at home, as well as its dealings with other powers, it is within the province of those other powers to recognize its existence as a new and independent nation. In such cases other nations simply deal with an actually existing condition of things, and recognize as one of the powers of the earth that body politic which, possessing the necessary elements, has, in fact, become a new power. In a word, the creation of a new State is a fact.

To establish the condition of things essential to the recognition of this fact, there must be a people occupying a known territory, united under some known and defined form of government, acknowledged by those subject thereto, in which the functions of government are administered by usual methods, competent to mete out justice to citizens and strangers, to afford remedies for public and private wrongs, and able to assume the correlative international obligations, and capable of performing the corresponding international duties resulting from its acquisition of the rights of sovereignty. A power should exist complete in its organization, ready to take and able to maintain its place among the nations of the earth.

While conscious that the insurrection in Cuba has shown a strength and endurance which make it at least doubtful whether it be in the power of Spain to subdue it, it seems unquestionable that no such civil organization exists which may be recognized as an independent government capable of performing its international obligations and entitled to be treated as one of the powers of the earth. A recognition under such circumstances would be inconsistent with the facts, and would compel the power granting it soon to support by force the government to which it had really given its only claim of existence. In my judgment, the United States should adhere to the policy and the principles which have heretofore been its sure and safe guides in like contests between revolted

colonies and their mother country, and, acting only upon the clearest evidence, should avoid any possibility of suspicion or of imputation.

A recognition of the independence of Cuba being, in my opinion, impracticable and indefensible, the question which next presents itself is that of the recognition of belligerent rights in the parties to the contest.

In a former message to Congress I had occasion to consider this question, and reached the conclusion that the conflict in Cuba, dreadful and devastating as were its incidents, did not rise to the fearful dignity of war. Regarding it now, after this lapse of time, I am unable to see that any notable success, or any marked or real advance on the part of the insurgents, has essentially changed the character of the contest. It has acquired greater age, but not greater or more formidable proportions. It is possible that the acts of foreign powers, and even acts of Spain herself, of this very nature, might be pointed to in defense of such recognition. But now, as in its past history, the United States should carefully avoid the false lights which might lead it into the mazes of doubtful law and of questionable propriety, and adhere rigidly and sternly to the rule, which has been its guide, of doing only that which is right and honest and of good report. The question of according or of withholding rights of belligerency must be judged, in every case, in view of the particular attending facts. Unless justified by necessity, it is always, and justly, regarded as an unfriendly act, and a gratuitous demonstration of moral support to the rebellion. It is necessary, and it is required, when the interests and rights of another government or of its people are so far affected by a pending civil conflict as to require a definition of its relations to the parties thereto. But this conflict must be one which will be recognized in the sense of international law as war. *Belligerence, too, is a fact. The mere existence of contending armed bodies, and their occasional conflicts, do not constitute war in the sense referred to. Applying to the existing condition of affairs in Cuba the test recognized by publicists and writers on international law, and which have been observed by nations of dignity, honesty, and power, when free from sensitive or selfish and unworthy motives, I fail to find in the insurrection the existence of such a substantial political organization, real, palpable, and manifest to the world, having the forms and capable of the ordinary functions of government toward its own people and to other States, with courts for the administration of justice, with a local habitation, possessing such organization of force, such material, such occupation of territory, as to take the contest out of the category of a mere rebellious insurrection, or occasional skirmishes, and place it on the terrible footing of war, to which a recognition of belligerency would aim to elevate it. The contest, moreover, is solely on land; the insurrection has not possessed itself of a single seaport whence it may send its flag, nor has it any means of communication with foreign powers*

*except through the military lines of its adversaries.* No apprehension of any of those sudden and difficult complications which a war upon the ocean is apt to precipitate upon the vessels, both commercial and national, and upon the consular officers of other powers, calls for the definition of their relations to the parties to the contest. CONSIDERED AS A QUESTION OF EXPEDIENCY, I REGARD THE ACCORDANCE OF BELLIGERENT RIGHTS STILL TO BE AS UNWISE AND PREMATURE, AS I REGARD IT TO BE, AT PRESENT, INDEFENSIBLE AS A MEASURE OF RIGHT. Such recognition entails upon the country according the rights which flow from it difficult and complicated duties, and requires the exaction from the contending parties of the strict observance of their rights and obligations. It confers the right of search upon the high seas by vessels of both parties; it would subject the carrying of arms and munitions of war, which now may be transported freely and without interruption in the vessels of the United States, to detention and to possible seizure; it would give rise to countless vexatious questions, would release the parent government from responsibility for acts done by the insurgents, and would invest Spain with the right to exercise the supervision recognized by our treaty of 1795 over our commerce on the high seas, a part of which, in its traffic between the Atlantic and the Gulf States, and between all of them and the States on the Pacific, passes through the waters which wash the shores of Cuba. The exercise of this supervision could scarce fail to lead, if not to abuses, certainly to collisions perilous to the peaceful relations of the two States. There can be little doubt to what result such supervision would before long draw this nation. It would be unworthy of the United States to inaugurate the possibilities of such result, by measures of questionable right or expediency, or by any indirection. Apart from any question of theoretical right, I am satisfied that, while the accordance of belligerent rights to the insurgents in Cuba might give them a hope and an inducement to protract the struggle, it would be but a delusive hope, and would not remove the evils which this government and its people are experiencing, but would draw the United States into complications which it has waited long and already suffered much to avoid. The recognition of independence, or of belligerency, being thus, in my judgment, equally inadmissible, it remains to consider what course shall be adopted should the conflict not soon be brought to an end by acts of the parties themselves, and should the evils which result therefrom, affecting all nations, and particularly the United States, continue.

In such event, I am of opinion that other nations will be compelled to assume the responsibility which devolves upon them, and to seriously consider the only remaining measures possible, mediation and intervention. Owing, perhaps, to the large expanse of water separating the Island from the Peninsula, the want of harmony and of personal sympathy be-



tween the inhabitants of the colony and those sent thither to rule them, and want of adaptation of the ancient colonial system of Europe to the present times and to the ideas which the events of the past century have developed, the contending parties appear to have within themselves no depository of common confidence, to suggest wisdom when passion and excitement have their sway, and to assume the part of peace-maker. In this view, in the earlier days of the contest the good offices of the United States as a mediator were tendered in good faith, without any selfish purpose, in the interest of humanity and in sincere friendship for both parties, but were at the time declined by Spain, with the declaration, nevertheless, that at a future time they would be indispensable. No intimation has been received that in the opinion of Spain that time has been reached. And yet the strife continues with all its dread horrors and all its injuries to the interests of the United States and of other nations. Each party seems quite capable of working great injury and damage to the other, as well as to all the relations and interests dependent on the existence of peace in the Island; but they seem incapable of reaching any adjustment, and both have thus far failed of achieving any success whereby one party shall possess and control the Island to the exclusion of the other. Under these circumstances, the agency of others, either by mediation or by intervention, seems to be the only alternative which must, sooner or later, be invoked for the termination of the strife. At the same time, while thus impressed, I do not at this time recommend the adoption of any measure of intervention. I shall be ready at all times, and as the equal friend of both parties, to respond to a suggestion that the good offices of the United States will be acceptable to aid in bringing about a peace honorable to both. It is due to Spain, so far as this Government is concerned, that the agency of a third power, to which I have adverted, shall be adopted only as a last expedient. Had it been the desire of the United States to interfere in the affairs of Cuba, repeated opportunities for so doing have been presented within the last few years; but we have remained passive, and have performed our whole duty and all international obligations to Spain with friendship, fairness, and fidelity, and with a spirit of patience and forbearance which negatives every possible suggestion of desire to interfere or to add to the difficulties with which she has been surrounded.

#### JINGOISM IS UN-AMERICAN.

Whatever be the clamor of the jingo press, there is no more ground for the recognition of the Cuban rebels now

than there was at the time President Grant sent the above message to Congress.

We must not let our good sense be carried away by the loud bravado of the jingo press, nor by the exciting declamations of the frantic sympathizers of Cuban incendiaries.

As a leading journalist has recently reminded us :

There was once an American who said :

"OBSERVE GOOD FAITH AND HONESTY TOWARD ALL NATIONS.  
CULTIVATE PEACE AND HARMONY WITH ALL."

His name was WASHINGTON.

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## IX.

## CONCLUSIONS.

From the foregoing arguments and statements, based on facts, official data and statistics, the following conclusions are drawn :

That public opinion in the United States has been misled by false representations ;

That only one side of the Cuban question has been heard ;

That the Cuban people are not in favor of the independence of the Island ;

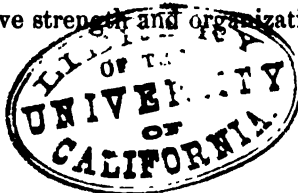
That the men who are in arms against the Spanish government constitute a very small and insignificant minority of the population ;

That they are not true patriots like Washington, Lafayette, Bolivar, Sucre or Hidalgo, but bandits and desperadoes, mostly mulattoes and foreign adventurers ;

That the insurrection is principally fed from without by Cuban refugees in the United States—having no interests in the Island—and who, after becoming American citizens, violate our laws in order to involve their adopted country in foreign complications ;

That the adoption of cruel, barbarous and unnecessary measures by the rebels, and their wanton destruction of life and property, is in painful contrast with the humane policy of Gen. Martinez Campos, and in contravention of the recognized usages of modern warfare ;

That by their own acts and deeds of violence, as well as by their lack of cohesive strength and organization, such men



have placed themselves beyond recognition as belligerents, or even as the representatives of a patriotic cause;

And, lastly, the sympathies of the American people should not be wasted on these so-called "patriots," but should be extended to the thousands of peaceful Cuban families whose homes have been made desolate by these vandals. And yet, not a voice has been raised for the true Cuban people; that is, for the immense majority of the population of Cuba, who are and will be for years to come the real sufferers from the ruin and devastation which this untimely and unjustifiable insurrection is sure to bring upon the beautiful "Pearl of the Antilles."

AN AMERICAN.

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RECOGNITION OF CUBAN INDEPENDENCE.

DECEMBER 21, 1896.—Ordered to be printed.

Mr. CAMERON, from the Committee on Foreign Relations, submitted the following

REPORT.

[To accompany Senate Joint Res. 163.]

Congress, at its last session, after long and patient consideration, adopted with practical unanimity the view expressed by your committee that the time had come for resuming intervention with Spain for the recognition of the independence of Cuba. Spain having declined to listen to any representation founded on an understanding between herself and the insurgents, and Congress having pledged itself to friendly intervention, the only question that remains to be decided is the nature of the next step to be taken, with proper regard to the customs and usages of nations.

Before deciding this question, your committee has preferred to examine with some care all the instances which have occurred during this century of insurgent peoples claiming independence by right of revolt. The inquiry has necessarily led somewhat far, especially because the right of revolt or insurrection, if insurrection can be properly called a right, seems, in every instance except one, to have carried with it a corresponding intervention. For convenience, we have regarded both insurrection and intervention as recognized rights, and have attempted to ascertain the limits within which these rights have been exercised and their force admitted by the general consent of nations.

The long duration of the French revolutionary wars, which disturbed the entire world for five and twenty years, and left it in a state of great confusion, fixed the beginning of our modern international systems at the year 1815, in the treaties of Vienna, of Paris, and of the Holy Alliance. The settlement of local disturbances, under the influence of the powers parties to these treaties, proceeded without serious disagreement until 1821, when the Greeks rose in insurrection against the Sultan. The modern precedents of European insurrection and intervention, where independence was the issue involved, began with Greece.

1. GREECE, 1821-1827.

The revolution broke out in Greece at the end of March, 1821. Within a month the rebels got possession of all the open country and all the towns, except so far as they were held by Turkish garrisons. The Sultan immediately called all Mussulmans to arms; the Greek Patriarch was hanged at the door of his own church at Constantinople; several hundred

merchants were massacred; several hundred Christian churches were destroyed, and the Russian ambassador was insulted.

Russia was then the head of the "Holy Alliance," the union of Russia, Austria, and Prussia, which had crushed Napoleon and guaranteed the peace of Europe. The Greek revolution was the work of liberal forces which had produced the disturbances of 1789, and which the Holy Alliance existed chiefly to combat. No government in Europe sympathized with the Greek rebels. Austria was entirely hostile. England and Prussia followed the same impulse. France feared intervention on account of her royalist dynasty. Even Russia, the only power which must profit by weakening Turkey, was interested in revolutionizing the principalities, but not in revolutionizing Greece.

This universal fear of innovation caused no small part of the interest suddenly developed in the practice of international law and its limitations for the advantage of legitimate Governments. The neutrality acts of the United States and of England took shape in 1818 and 1819. The great powers of Europe held congress after congress for the international settlement of political and even social difficulties; at Aix in 1818; at Carlsbad in 1819; at Vienna in 1820; at Troppau, October-December, 1820; at Laibach from January to May, 1821; and subsequently at Vienna and Verona in the last six months of 1822. At Troppau, in November, 1820, the three powers of Russia, Austria, and Prussia united in signing a protocol expressly intended to assert the right of intervention in all cases where a European power "should suffer, in its internal régime, an alteration brought about by revolt, and the results of which are menacing for other States." The language of this protocol had much to do with the subsequent course of events.

Faithful to the principles they have proclaimed and the respect due to the authority of every legitimate Government, as well as to every act which emanates from its free will, the Allied Powers will engage to refuse their recognition to changes consummated by illegal methods. When States where such changes shall have been effectuated shall cause other countries to fear, by their proximity, an imminent danger, and when the Allied Powers can exercise in regard to them an efficacious and beneficent action, they will employ, in order to restore them to the bosom of the Alliance, at first friendly processes; in the second place, a coercive force, if the exercise of that force becomes indispensable.

England and France did not join in this declaration, or in the intervention in Naples which was its immediate object; but the Alliance acted systematically on the principle thus laid down, which was in the full energy of its operation, when, four months afterwards, the Greeks broke into revolt.

For these reasons the Greek insurrection assumed great importance in the eyes of all the civilized world and in the history of international relations. Other revolts were directed merely against a local authority, and aimed to subvert a dynasty or an oppressive rule. The Greeks fought for independence, and since the Declaration of Independence by the United States in 1776, no new nationality, based on successful insurrection, had been recognized by Europe.

Russia almost instantly began by calling the attention of the allies to her claim that the whole Greek race, whether in Greece proper, or in the islands, or in the principalities, were of right under Russian protection. This declaration was made June 22, 1821, within three months of the outbreak of the revolution, and two years before the Monroe doctrine took shape. It was coldly received by all the powers except Prussia, while the Turkish Government rejected with indignation a simultaneous warning from Russia in the form of an ultimatum, dated June 28, that the further coexistence of Turkey with other European States would

depend on her conduct in this matter, which was a European and universal interest that Russia claimed the peculiar right to defend. Under these circumstances the Russian ambassador left Constantinople, August 10, 1821.

The concessions demanded by Russia in her ultimatum did not then include any settlement of the Greek insurrection. They chiefly concerned the principalities. An entire year passed before the other powers succeeded in bringing Turkey to concessions that opened a possibility of restoring her diplomatic relations with Russia and dealing with the subjects in dispute. Only when at last the powers induced Turkey to consent to allow her affairs to be discussed in a general conference did Russia insist that the Greek insurrection should be included among the subjects of mediation. The Turkish Government declared in the most energetic language that it would never admit of such interference, or consent to make the affairs of Greece a subject of negotiation with Russia. In the face of this declaration, made in July, 1822, the other powers, led by Austria and supported by England, under the horror roused by the massacre of Chios, abandoned their jealousy of Russia and their dread of insurrection so far as to join in insisting that Turkey should yield, and that the affairs of Greece should be made the subject of joint intervention; but in spite of this pressure, Turkey did not yield, and the powers held new conferences at Vienna and at Verona, which lasted till December, 1822, and which, while deciding on intervention in Italy and Spain, ended by yielding to Turkey an indefinite postponement of the Greek dispute. In this postponement Russia seemed cordially to acquiesce. The dread of revolution overcame for the moment the other interests of the Russian people.

In the whole discussion, from March, 1821, until January, 1823, the right of intervention was never disputed, except by Turkey. On that point the whole law was stated in conversation between the British ambassador and the Turkish minister. The Turk took the ground that everything had been done by Turkey if she had satisfied her treaty obligations. "Everything as against Russia," replied Strangford, the British ambassador, "but not as regards the allies and friends of the Porte. According to Turkish law, it was not allowed to leave a house in a condition that endangered a neighbor's safety. The Turkish Government believed it had restored the old solidity of the wall, but he (Lord Strangford) feared they were mistaken." "God forbid!" said the Turk; "but in any case this would be our affair, not yours!" "God forbid!" repeated Lord Strangford; "for this is our affair as well as yours."

This was the situation when Lord Castlereagh died, and George Canning became prime minister of England. Down to that moment the British Government had identified itself with the Turkish Government, and had overstepped the line of neutrality in order to assist the Turkish campaigns by sea and land. Lord Castlereagh and Lord Strangford avowedly considered the Greeks as a worthless and mongrel race, incapable of self-government, whose claims were to be wholly rejected. George Canning held that the greater danger to the peace and welfare of Europe was the Holy Alliance and its system of political interference; but in the case of Greece, where the Holy Alliance had refrained from interfering, while it was actively repressing disturbances in Spain and Italy, Canning held that intervention was proper and that the duties and interests of England required her to intervene. His chief anxiety was to bring about his object without war between any of the parties.

He began by recognizing Greek belligerency. The Greeks issued a proclamation declaring a strict blockade of the ports of Patras and Lepanto; and thereupon the Ionian high commissioner, on the 17th of November, 1824, recognized this "communication from persons exercising the functions of government in Greece," and ordered "all ships and boats of whatever description, bearing the Ionian flag 'to respect the same in the most strict and exact manner.'"

This seems to have been the step which led to Canning's somewhat famous definition of the nature of belligerency, in 1825. "The Turkish Government," we are told, "complained that the British Government allowed to the Greeks a belligerent character, and observed that it appeared to forget that to subjects in rebellion no national character could properly belong." To this remonstrance Canning replied, through the British resident at Constantinople, that "the character of belligerency was not so much a principle as a fact; that a certain degree of force and consistency acquired by any mass of population engaged in war entitled that population to be treated as a belligerent, and, even if their title were questionable, rendered it the interest, well understood, of all civilized nations so to treat them."

This proposition must have seemed somewhat broad, even to Canning, for in applying it to the special case of Greece he added that "a power or community, call it which you will, which was at war with another and which covered the sea with its cruisers, must either be acknowledged as a belligerent or dealt with as a pirate." At that time no other power than England, and Turkey, least of all, admitted the necessity of this alternative, since the war had then lasted four years without producing it; but what no other power was ready to admit in 1825 became the accepted law of all Europe in 1861 in a form much more pronounced. Although this dictum of Canning's was never, so far as we know, officially published, it was quoted by Lord John Russell, then Her Majesty's principal secretary of state for foreign affairs, in the speech which he made in the House of Commons May 6, 1861, as his single and sufficient authority to justify the step upon which he and his colleagues in the Government had decided, of recognizing the belligerency of the "power or community," which he officially called "the Southern Confederacy of America," and which at that time had not a ship at sea or an army on land, and which had given as yet no official evidence of a war to the British Government. Simultaneously the same action was adopted by the Government of France, which "concurred entirely in the views of Her Majesty's Government," and whose concurrence, in the absence of protest or objection by any other power, made Russell's view the accepted practice of Europe.

Canning's recognition of Greek belligerency in 1825, as well as the joint recognition of "the Southern Confederacy of America" in 1861, was only the first step toward an anticipated system of intervention. To this subject we shall be obliged to return, after the further story of the Greek precedent has been told. Canning followed up the recognition of belligerency by making a direct offer of assistance to the Greeks. Early in the year 1824 a paper purporting to be a plan of pacification for Greece, drawn up by the Court of St. Petersburg, had appeared in the European Gazettes, and, although no one knew from what source the Gazettes had received it, no one seriously disputed its authenticity. The plan suggested the division of Greece into three Principalities, under Turkish garrisons, with an internal organization to be guaranteed by the combined powers. The Greek Government, alarmed at this suggestion, wrote to Canning a strong remonstrance and an appeal to the



help and protection of England. The letter reached Canning November 4, just at the moment when he was considering the Greek blockade. His reply, dated December 1, 1824, contained a paragraph which invited the Greeks to place their interests in his hands:

If they should at any time hereafter think it fit to solicit our mediation, we should be ready to tender it to the Porte; and, if accepted by the Porte, to do our best to carry it into effect, conjointly with other powers. \* \* \* This appears to the British Government all that can reasonably be asked of them.

The Greeks, whose military position was desperate, at length decided not only to act on Canning's suggestion, but to place themselves absolutely in the hands of Great Britain. This they did by a formal act in June, 1825. The trust was declined, but Canning, strengthened by this authority, was enabled to draw Russia away from Austrian influence, and to negotiate in St. Petersburg, in the form of a protocol, dated April 4, 1826, an agreement for a joint offer of mediation to Turkey for the pacification of Greece. Upon this protocol rests the diplomatic value of the subsequent intervention.

His Britannic Majesty, having been requested by the Greeks to interpose his good offices in order to obtain their reconciliation with the Ottoman Porte, having in consequence offered his mediation to that power, and being desirous of concerting the measures of his Government with His Majesty the Emperor of all the Russias, and His Imperial Majesty, on the other hand, being equally animated by the desire of putting an end to the contest of which Greece and the archipelago are the theater by an arrangement which shall be consistent with the principles of religion, justice and humanity, have agreed—

1. That the arrangement to be proposed to the Porte, if that Government should accept the proffered mediation, should have for its object to place the Greeks toward the Ottoman Porte in the relation hereafter mentioned:

Greece should be a dependency of that Empire, etc. \* \* \*

Canning wished to save Turkey from Russian aggression, but Turkey refused to be saved. The Sultan would listen to no mediation between himself and his revolted subjects, least of all at a moment when his military position warranted him in feeling sure of success in subduing the revolt. Another year passed without bringing the issue to a point. Then France joined with England and Russia, and the three powers, on the 5th of July, 1827, united in a formal treaty signed in London, which committed them to armed intervention in case the Sultan should still reject their proffered mediation, within the space of one month.

The preamble to this treaty set forth the motives which led the three sovereigns to intervene:

Penetrated with the necessity of putting an end to the sanguinary contest which, by delivering up the Greek provinces and the Isles of the archipelago to all the disorders of anarchy, produces daily fresh impediments to the commerce of the European States and gives occasion to piracies which not only expose the subjects of the high contracting parties to considerable losses, but besides render necessary burdensome measures of protection and repression, His Majesty the King of the United Kingdom of Great Britain and Ireland and His Majesty the King of France and Navarre, having besides received on the part of the Greeks a pressing request to interpose their mediation with the Ottoman Porte, and being, as well as His Majesty the Emperor of all the Russias, animated by the desire of stopping the effusion of blood and of arresting the evils of all kinds which might arise from the continuance of such a state of things, have resolved to unite their efforts and to regulate the operation thereof by a formal treaty, with a view of reestablishing peace between the contending parties by means of an arrangement which is called for as much by humanity as by interest of the repose of Europe.

The treaty proceeded to bind the three parties to offer their mediation immediately on the basis of Turkish suzerainty and Greek self-government, and in case Turkey should not accept within one month the proposed mediation the powers should prevent further hostilities by ordering their squadrons to interpose.

The Turkish Government August 30 reiterated its decided, unconditional, final, and unchangeable refusal to receive any proposition on behalf of the Greeks. The next day the ambassadors sent the necessary orders to their squadrons, and in attempting to carry out these orders the admirals, much to the regret of the British Government, brought on the battle of Navarino, October 20, 1827.

## 2. BELGIUM, 1830.

The next European nation that claimed its independence on the ground of the right of revolution was the Belgian.

By a provision of the general European settlement of 1815 Holland and Belgium were united in one kingdom, known as that of the Netherlands, over which was placed the son of the last Stadtholder of Holland, as King William I of the Netherlands.

When the French Revolution of July, 1830, occurred, it spread instantly to the Netherlands. Toward the end of August, 1830, disturbances began, and soon became so serious as to threaten grave complications abroad as well as at home.

King William sent a formal note, dated October 5, to the British Government, identical with notes to Prussia, Austria, and Russia, the four contracting parties to the treaty of 1815, calling on them to restore order, since all were bound "to support the Kingdom of the Netherlands and the actual state of Europe."

Representatives of the four powers, and with them the representative of France, met in London, November 4, 1830, and adopted a protocol:

His Majesty the King of the Netherlands having invited the courts of Great Britain, Austria, France, Prussia, and Russia, in their quality of powers signatory to the treaties of Paris and Vienna, which constituted the Kingdom of the Netherlands, to deliberate in concert with his Majesty on the best means of putting an end to the troubles which have broken out in his states; and the courts above-named having experienced, even before receiving this invitation, a warm desire to arrest with the shortest possible delay the disorder and the effusion of blood, have concerted.

This protocol at once set aside the King of the Netherlands, ignoring his exclusive claim to support, and "to deliberate in concert." Without concerting with or supporting King William, the five powers imposed an immediate armistice on both parties.

Naturally the Belgian rebels then declared themselves independent. With such encouragement their safety was guaranteed almost beyond the possibility of risk. The claim of independence was made November 18, 1830, and was recognized one month later by the powers in their seventh conference, December 20. The representatives of the five powers, whose names were among the most famous in diplomacy—Talleyrand, Lieven, Esterhazy, Palmerston, Bulow—adopted, without the adhesion or even an invitation to be present of the Netherlands minister, a protocol which announced intervention pure and simple, beginning with the abrupt recognition of the revolutionary government:

The plenipotentiaries of the five courts, having received the formal adhesion of the Belgian Government to the armistice proposed to it, and which the King of the Netherlands has also accepted, \* \* \* the conference will occupy itself in discussing and concerting the new arrangements most proper to combine the future independence of Belgium with the interests and the security of the other powers, and the preservation of the European equilibrium.

The Netherlands minister immediately recorded, December 22, a formal protest, and a reservation of King William's right to decide on "such ulterior measures as should be taken in the double interests of his own dignity and the well-being of his faithful subjects."

A few days later, January 4, 1831, Holland entered a still more

formal protest. In this strong and dignified paper the King's Government pointed out to the five powers the extreme importance of the new precedent they had established in international law.

As King, called to guard the well-being of a fraction of the European population, His Majesty has been deeply concerned to remark that the complications arisen in Europe have appeared so grave that it has been thought proper, as the only remedy, to sanction the results of a revolt which was provoked by no legitimate motive, and thus to compromise the stability of all thrones, the social order of all States, and the happiness, the repose, and the prosperity of all peoples.

Independent of the solidarity established between the different members of the European system, His Majesty, as sovereign of the Kingdom of the Netherlands, has seen in it an attack directed against his rights.

If the treaty of Paris of 1814 placed Belgium at the disposition of the high allies, these, from the moment they fixed the lot of the Belgian provinces, renounced, according to the law of nations, the faculty of returning on their work, and the dissolution of the bonds formed between Holland and Belgium under the sovereignty of the House of Orange Nassau, became placed beyond the sphere of their attributes. The increase of territory assigned to the united provinces of the Netherlands was, moreover, acquired under burdensome conditions, for valuable consideration, requiring the sacrifice of several of their colonies, the expense required to fortify several places of the southern provinces of the Kingdom, and other pecuniary charges.

The conference assembled, it is true, at the request of the King, but that circumstance did not confer on the conference the right to give its protocols a direction at variance with the object for which its assistance had been asked, and, instead of cooperating in the establishment of order in the Netherlands, to make them tend to the dismemberment of the Kingdom.

Without noticing this protest, the conference proceeded on January 27, 1831, to fix the boundaries and other conditions of the new State. The Belgians, on the 4th of June, elected a king who was instantly recognized by the powers. On the 26th of June the conference adopted another series of eighteen articles. The King of Holland replied, July 12, that these new articles were very important changes, wholly in the interests of Belgium and to the injury of Holland.

The Belgians meanwhile continued to organize their Government on a basis, diplomatic and territorial, that assumed in their favor all the points in dispute. The King of Holland, therefore, put an end to the armistice and marching forward routed the Belgian forces, August 11, and moved on Brussels. Belgium was then at his mercy. The King of the Belgians meanwhile wrote directly to the King of France requesting the immediate succor of a corps of French troops, and without waiting for concert with other powers the French Government marched 40,000 men across the frontier. (Granville to Palmerston, August 4, 1831. British State Papers, 1833.)

Thus within less than a year, after rebellion had broken out and without waiting for evidence of the right or the military force of the insurrection, every sort of intervention took place—diplomatic and military, joint and separate. Nor did the intervention stop with the measures taken for the succor of Belgium. As King William of Holland continued to reject the conditions imposed by the powers and held Antwerp as a pledge for more favorable conditions of peace, the Governments of France and England, abandoning the European concert, announced that they should put their naval and military forces in motion, and accordingly the British Government, November —, 1832, embargoed Dutch ships and blockaded the Dutch coast, while the French army, November 14, formally laid siege to Antwerp.

### 3. POLAND, 1831.

While the Belgian revolution was going on a rebellion broke out in the ancient Kingdom of Poland, and on January 25, 1831, the Polish Diet declared the Czar Nicholas no longer King of Poland, and elected

a regency of five members, with Prince Adam George Czartoriski at its head.

The Czar instantly gave notice to the minister of the new French King, Louis Philippe, that he would tolerate no intervention in Poland. Louis Philippe, who owed his own crown to the right of revolution, was the only sovereign in Europe who could be supposed likely to interpose; but, for the moment, his interest in France and Belgium absorbed all his energy. Much popular sympathy was felt for the Poles, and Lafayette, then near the end of his life, founded a Polish committee, and raised money for their assistance. Before the question could acquire diplomatic importance by establishing a claim founded on the power of the rebels to maintain themselves, the Russian armies crushed the rebellion, and on September 8 regained possession of Warsaw. The entire struggle lasted barely nine months, and from the first its result was universally regarded as inevitable, or in the highest degree unpromising to the success of the revolution. As a diplomatic precedent, it seems to have no value, except as far as it offered an example of the power of Russia as the Belgian insurrection had shown the power of England and France when in union.

#### 4. HUNGARY, 1849.

The next European people who claimed recognition as an independent member of the family of nations seems to have been the Hungarians.

On the 14th of April, 1849, the Hungarian Diet formally declared Hungary an independent State, and the Hapsburg dynasty forever deposed from the throne. The next day the Diet elected Louis Kossuth provisional president.

In regard to history, geographical importance, population, and military resources, this people had no occasion to excuse or explain their claims or their rights. Hungary was not a new country. Its government existed from time immemorial, and its right to change its sovereign was as complete as that of England or of France. The provisional government had nearly 150,000 men in arms at that moment. The Austrian Emperor could hardly dispose of a larger force for the purpose of conquest.

The young Emperor (Francis Joseph) instantly appealed for aid to the Czar (Nicholas) of Russia, who instantly intervened. The Czar issued a manifesto April 27, stating the facts and the grounds on which his intervention was believed to be legitimate. This paper founded the right of intervention, not on the weakness of the belligerent, but on his strength. Russia asserted as a principle that she must intervene because if she did not intervene Hungary would establish her independence:

The insurrection in Hungary [began the manifesto of April 27, 1849] has of late made so much progress that Russia can not possibly remain inactive. \* \* \* Such a state of things endangers our dearest interests, and prudence compels us to anticipate the difficulties it prepares for us. The Austrian Government being for the moment unable to oppose a sufficient power to the insurgents, it has formally requested His Majesty the Emperor (Nicholas) to assist in the repression of a rebellion which endangers the tranquillity of the two Empires. It was but natural that the two cabinets should understand one another on this point of common interest, and our troops have consequently advanced into Galicia to cooperate with Austria against the Hungarian rebellion. We trust the Governments that are equally interested in the maintenance of tranquillity will not misunderstand our motives of action. The Emperor (Nicholas) is sorry to quit the passive and expectant position which he has hitherto maintained, but still he remains faithful to the spirit of his former declarations, for, in granting to every State the right to arrange its own political constitution according to its own mind and refraining from interfering with

any alterations of their form of government which such States might think proper to make, His Majesty reserved to himself his full liberty of action in case the reaction of revolutions near him should tend to endanger his own safety or the political equilibrium on the frontiers of his Empire.<sup>1</sup>

This precedent tended to establish the right of every Government to intervene in the affairs of foreign States whenever their situation should "tend to endanger its own safety or the political equilibrium on its frontier." As far as is known, every other Government in the world tacitly acquiesced in the establishment of this precedent.

If any Government recorded a protest, it was that of the United States, but even the United States protested only by inference from the acts and language of the President. On March 4, 1849, the administration of President Taylor began, and the Russian intervention in Hungary took place a few weeks afterwards, before the new President had time to consult other Governments in regard to possible action in European affairs. Without alliance or consultation, President Taylor instantly appointed an agent to inquire into the situation in Hungary. Secretary Clayton signed his instructions June 18, 1849, six weeks after the Russian troops had been ordered to enter Hungary. The language of these instructions was as emphatic and as decisive as that of the Czar's circular:

Should the new government prove to be, in your opinion, firm and stable, \* \* \* you might intimate, if you should see fit, that the President would, in that event, be gratified to receive a diplomatic agent from Hungary to the United States by or before the next meeting of Congress, and that he entertains no doubt whatever that, in case her new government should prove to be firm and stable, her independence would be speedily recognized by that enlightened body.

The Russian intervention brought the Hungarian war so quickly to an end that before October all resistance was over, and when Congress met, early in December, 1849, President Taylor's annual message could only proclaim what would have been American policy:

During the late conflict between Austria and Hungary there seemed to be a prospect that the latter might become an independent nation. However faint that prospect at the time appeared, I thought it my duty, in accordance with the general sentiment of the American people, who deeply sympathized with the Magyar patriots, to stand prepared upon the contingency of the establishment by her of a permanent government, to be the first to welcome independent Hungary into the family of nations. For this purpose I invested an agent, then in Europe, with power to declare our willingness promptly to recognize her independence in the event of her ability to sustain it. The powerful intervention of Russia in the contest extinguished the hopes of the struggling Magyars. \* \* \*

To this paragraph, and to some expressions in the instructions, the Austrian minister was ordered to take exception. He protested accordingly. Daniel Webster had then become Secretary of State, and replied to the protest in a paper known as the Hulsemann letter, in which he declared what he believed to be the American policy and the law in regard to new nationalities claiming recognition:

Of course, questions of prudence naturally arise in reference to new States brought by successful revolutions into the family of nations; but it is not to be required of neutral powers that they should await the recognition of the new government by the parent State. No principle of public law has been more frequently acted upon within the last thirty years by the great powers of the world than this. Within that period eight or ten new States have established independent Governments within the limits of the colonial dominions of Spain on this continent, and in Europe the same thing has been done by Belgium and Greece. The existence of all these Governments was recognized by some of the leading powers of Europe, as well as by the United States, before it was acknowledged by the States from which they had separated themselves. If, therefore, the United States had gone so far as formally

<sup>1</sup>Annual Register, 1849, p. 333.

to acknowledge the independence of Hungary, although, as the event has proved, it would have been a precipitate step, and one from which no benefit would have resulted to either party, it would not, nevertheless, have been an act against the law of nations, provided they took no part in her contest with Austria.

Secretary Webster's view of the rights of intervention did not cover ground so wide as that taken by the Czar in his circular of April, 1849, but the attitude of President Taylor seems to have been intended as a counteraction, or a protest, as far as the influence of America extended, not so much to the claims of right or law asserted by the Czar, as to the object of his intervention. The instructions of June 18, 1849, expressly said that Russia "has chosen to assume an attitude of interference, and her immense preparations for invading and reducing the Hungarians to the rule of Austria, from which they desire to be released, gave so serious a character to the contest as to awaken the most painful solicitude in the minds of Americans."

Thus, on both sides the right to intervene, both for and against the Hungarians seems to have been claimed and not expressly denied by either; and no other power appears to have offered even so much opposition as was shown by President Taylor to the principles or to the acts of Russia, which settled the course of history.

#### 5. STATES OF THE CHURCH, 1850.

Besides the four precedents of Greece, Belgium, Poland, and Hungary, where new nationalities were in question, a much larger number of interventions occurred in Europe in the process of disruption or consolidation which has, on one hand, disintegrated the ancient empires of the Sultan, of Spain, of the Church; and on the other, concentrated the new systems of Germany, Russia, and Italy.

Interventions have occurred most conspicuously in Spain, by France, in 1823; in Portugal, by England, in 1827; again in Spain and Portugal in 1836, by England and France, under what was called the quadruple treaty; in Piedmont and Naples, by the Holy Alliance, in 1821; and in so many instances since 1848 that the mere enumeration would be long and difficult; but none of the disturbed countries claimed permanent independence under a form of revolution, unless it were perhaps the States of the Church, or Rome, which, on February 8, 1849, declared the Pope to be deposed, and set up a provisional government under a revolutionary triumvirate. The National Assembly of France, which was then a Republic, hastened to adopt, March 31, 1849, a resolution that if, "in order better to safeguard the interests and honor of France, the Executive should think proper to support its negotiations by a partial and temporary occupation in Italy, it would find in the assembly the most entire agreement." The assembly doubtless intended to intervene in Italy in order to protect the revolutionary movement there from the threatened intervention of Austria. The French Executive, Louis Napoleon, gave another direction to the policy of France. He immediately sent a French army to Civita Vecchia, which landed there April 26, and after a bloody struggle drove the republican government out of Rome. The French entered Rome July 3. Pope Pius IX returned there in April, 1850, and during the next twenty years Rome remained under the occupation of a French army.

The only reason given by France, in this instance, for intervention was that the occupation of Rome was necessary in order to "maintain the political influence of France." This was the ground taken by President Louis Napoleon in explaining his course to the Chambers in 1850.

The British Government acquiesced in this rule of European law or practice. On May 9, 1851, Lord Palmerston, then foreign secretary, said in Parliament, in reply to a formal inquiry, that the occupation of Rome was "a measure undertaken by France in her own discretion and in the exercise of her own judgment. The British Government had been no party to this measure. France had exercised her own rights in regard to it, and it was not at all necessary that the previous concurrence of the British Government should have been obtained in this matter. The British Government had been no party to this aggression and could not therefore be said to have concurred in it. It was a matter on which they might have an opinion, but in which they had no particular right, by treaty or otherwise, to interfere."

#### 6. THE OTTOMAN EMPIRE, 1878.

Since the year 1827 intervention in the affairs of the Ottoman Empire has been so constant as to create a body of jurisprudence, and a long series of treaties on which the existence of all political systems of south-eastern Europe seems now to be more or less entirely based.

Not only Greece, Montenegro, Roumania, Bulgaria, Roumelia, Servia, and Egypt have been the creations of such intervention, or the objects of its restraints, but also Samos, Crete, and even the Lebanon owe their legal status to the same source.

An authority so great must assume some foundation in law, seeing that the entire world acquiesced not only in the practical exercise of the force but also in the principle on which it rested, whatever that principle was.

The treaty of Berlin in 1878 was a broad assertion of the right of the European powers to regulate the affairs of the Ottoman Empire, but the treaty contains no statement of the principle of jurisprudence on which the right rests.

The preamble merely declares that the powers, "being desirous to regulate, with a view to European order, the questions raised in the East by the events of late years and by the war terminated by the preliminary treaty of San Stefano, have been unanimously of opinion that the meeting of a congress would offer the best means of facilitating an understanding."

In effect, the treaty of Berlin reduced the Ottoman Porte to tutelage, extinguished its sovereignty over certain large portions of its dominions, and restrained its rights over other portions. It recognized the independence of Servia, Roumania, and Montenegro, and fixed their boundaries. It established Bulgaria as "an autonomous and tributary principality under the suzerainty of the Sultan." It created the province of Eastern Roumelia "under conditions of administrative autonomy." It stipulated an organic law for Crete. It interfered in all directions with the internal arrangements of the Ottoman Empire.

Perhaps the most typical instance of assumption of power by the combined governments was Article XXV of the treaty, which began: "The provinces of Bosnia and Herzegovina shall be occupied and administered by Austria-Hungary."

So liberal a use of the right of intervention has seldom been made, but the principle of jurisprudence on which it rested has never been officially declared. Nothing in the treaties expressly limits to the Ottoman Empire the right of intervention which was exercised in its case. The only principle jealously insisted upon, seemed to be that of joint, as against separate, intervention by the European powers. With this

implied restriction, the right of intervention "with a view to European order" appears to be the only foundation for the existing status of southeastern Europe, and equally applicable to the rest of the world.

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These six precedents include, as far as is known, every instance where a claim to independence has been made by any people whatever in Europe since the close of the Napoleonic wars in 1815. Other successful revolutions, such as those of Tuscany and the States of the Church in 1859, were the immediate results of intervention, and that of Naples in 1860 was, from first to last, perhaps the most striking example of intervention in modern times, although Naples hardly thought necessary to pass through any intermediate stage of recognition as an independent authority.

The six precedents, therefore, constitute the entire European law on the subject of intervention in regard to European peoples claiming independence by right of revolution. There is no other authoritative source of the law; for the judicial courts of Europe were bound to follow the political decision; and the opinions of private persons, whether jurists or politicians, being without sanction, could not be accepted as law.

From this body of precedent it is clear that Europe has invariably asserted and practiced the right to interfere, both collectively and separately, amicably and forcibly, in every instance, except that of Poland, where a European people has resorted to insurrection to obtain independence.

The right itself has been based on various grounds: "Impediments to commerce," "Burdensome measures of protection and repression," "Requests" of one or both parties "to interpose," "Effusion of blood," and "Evils of all kinds," "Humanity" and "The repose of Europe" (Greek treaty of 1827); "A warm desire to arrest, with the shortest possible delay, the disorder and the effusion of blood" (Protocol of November 4, 1830, in the case of Belgium); "His own safety or the political equilibrium on the frontiers of his Empire" (Russian circular of April 27, 1849, in the case of Hungary); "To safeguard the interest and honor" and to "Maintain the political influence" of the intervening power (French declarations of 1849-50 in regard to the States of the Church). Finally, in the latest and most considerable, because absolutely unanimous act of all Europe, simply the "desire to regulate" (Preamble to the Treaty of Berlin in 1878, covering the recognition of Servia, Roumania, Montenegro, and Bulgaria).

#### ASIA.

There remains the experience of Asia and America.

In regard to Asia, probably all authorities agree that the entire fabric of European supremacy, whether in Asiatic Turkey, Persia, Afghanistan, India, Siam, or China, rests on the right of intervention.

The exercise of this right constitutes another large but separate branch of public law which, by common consent, is not regarded as applicable to nations of European blood.

Furthermore, although many governments in Asia have been extinguished by means of the right of intervention, none is known to have claimed independence founded on the right of insurrection. Certainly none has been recognized by Europe or America on that ground.

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AMERICA, 1822-23.

America, both North and South, has always aimed to moderate European intervention and to restrict its exercise. On this point we have the evidence of George Canning in a celebrated speech on the foreign-enlistment act in 1823:

We have spent much time [said Canning] in teaching other powers the nature of a strict neutrality, and generally speaking we found them most reluctant scholars. \* \* \* If I wished for a guide in a system of neutrality I should take that laid down by America in the days of the presidency of Washington and the secretaryship of Jefferson.

In fact, the British Government did take that guide. The American neutrality act of 1794, revised and reenacted in the act of April 20, 1818, served as the model for the British foreign-enlistment act in 1819. The cause of that act of 1819 was stated by Canning in the speech just cited:

When peace was concluded between this country and Spain in 1814, an article was introduced into the treaty by which this country bound itself not to furnish any succors to what were then denominated the revolted colonies of Spain. In process of time, as those colonies became more powerful, a question arose of a very difficult nature, to be decided on a due consideration of their *de jure* relation to Spain on the one side, and their *de facto* independence of her on the other. The law of nations was entirely silent with respect to a course which, under a circumstance so peculiar as the transition of colonies from their allegiance to the parent state, ought to be pursued. It was difficult to know how far either the statute law or the common law was applicable to colonies so situated. It became necessary, therefore, in the act of 1818, to treat the colonies as actually independent of Spain. \* \* \*

Apparently Canning did not consider that the revolt of the American colonies in 1776 offered a precedent for "a circumstance so peculiar as the transition of colonies from their allegiance." He regarded the situation as so peculiar that it needed to be met by measures in regard to which "the law of nations was entirely silent." He seemed to regard the foreign-enlistment act as a recognition of independence.

The Government of the United States was not so much perplexed in regard to the steps by which colonies achieved independence; but in the actual condition of Europe, where the Holy Alliance held entire control and intervened everywhere against claims based on the right of insurrection, the President had the strongest reasons for moving slowly, and, if possible, only in concert with England.

The disturbances in the Spanish colonies in America had begun as a consequence of the overthrow of the Bourbon dynasty by Napoleon and the establishment of Joseph Bonaparte as King of Spain in 1808; but the movements for independence took serious form at a much later time.

In Mexico, the first national congress met at Chilpancingo in 1813, and formally declared the independence of Mexico on the 6th of November of that year. It was practically suppressed by the execution of Morelos, December 22, 1815, and did not revive until Iturbide, in January, 1821, joined Guerrero in the so-called plan of Iguala. Iturbide made his triumphal entry into the City of Mexico September 27, 1821.

Venezuela first declared independence on July 15, 1811, but the Spanish forces continued the war until General Bolivar drove them from the interior in 1821, and General Paez captured Puerto Cabello in 1823.

Chile began her revolution in 1810, but did not declare independence until January 1, 1818, and then only by proclamation of the executive authority, "the actual circumstances of the war not permitting the convocation of a national congress."

Buenos Ayres also began her revolution in 1810, but did not declare independence and claim recognition until October 25, 1816.

The question of intervention began in 1817. The Spanish Government appealed to the European powers for aid. The Czar openly took sides with Spain, and when, in September, 1817, the Spanish Government asked permission to build several ships of war in the Russian dockyards, the Czar suggested that Spain should buy five ships of the line and three frigates belonging to the Russian navy. This was done, and the ships were sent to the seat of war. At the same time, in October, 1817, the Russian Government instructed its ambassador in London to press on the British Government the great importance of European intervention.

Great Britain declared energetically that she would have no part in trying to force back the subjects of Spain under the domination of an oppressive Government. In fact, Lord Castlereagh had already assured President Monroe that if Great Britain intervened at all it would be on a system of perfect liberality to the Spanish provinces, and the President decided, as early as April, 1818, to discourage European mediation and to take the ground that there could be no rational interference except on the basis of the independence of the South Americans. In August he made a formal proposal to the British and French Governments for a concerted and contemporary recognition of Buenos Ayres, whose *de facto* independence made that country the natural object of a first step toward the establishment of a general policy. In December he notified both Governments that he had patiently waited without interfering in the policy of the allies, but as they had not agreed upon anything, and as the fact of the independence of Buenos Ayres appeared established, he thought that recognition was necessary. In January, 1819, he announced to them that he was actually considering the measure.

Thus, all parties had agreed, as early as 1817 and 1818, upon the propriety of intervention between Spain and her colonies. Both the United States and Europe asserted that the time had come; they disagreed only as to the mode. When Lord Castlereagh, at the Congress of Aix-la-Chapelle, in October, 1818, proposed to the four other powers "to intervene in the war between Spain and her American colonies by addressing offers of mediation to the two belligerents," Russia energetically opposed and rejected the scheme, not because it was intervention, but apparently because it was mediation, and to that extent recognized rights in the insurgents. When President Monroe interposed his fiat that no interference could be countenanced by him except on the basis of independence, he dictated in advance the only mode of intervention which he meant to permit. If he waited before carrying it out it was only because in the actual balance of European and American power he felt that isolated action might injure the cause he had determined to help.

He waited in vain. Neither England nor any other power moved again. No information came from Europe. No further attempt to subject the revolted colonies was probable, and even the declaration of the Congress of Troppau in November, 1820, which announced a general and active intervention against all "illegitimate" authorities, caused little alarm as long as England and France were not parties to it. Delay was not dangerous. The system which Monroe aimed to establish could not be firm or broad as long as it rested on the recognition of a single country like Buenos Ayres or on the isolated action of the United States. That system included all American communities which

rejected foreign authority; it was to be taken as a whole, and referred to every part of the contest, from the recognition of the flag at the outset to the recognition of independence at the close. Therefore, Monroe waited until the effect of his action should settle the whole question and cover all the ground. After a delay of four years from the time when he began his policy, the Greek revolt in Europe and the military successes of Bolivar and Iturbide in America gave the desired opportunity, and Monroe sent to Congress his celebrated message of March 8, 1822, recommending the recognition of all the revolted colonies of Spain—Mexico, Colombia, Chile, and Buenos Ayres.

These countries asked no more. They based their claim on their independence *de facto*, and Monroe admitted its force. "The provinces," he said, "which have declared their independence and are in the enjoyment of it, ought to be recognized." He added that "the measure is proposed under a thorough conviction that it is in strict accord with the law of nations." In reality, it created the law, so far as its action went, and its legality was recognized by no European power. All waited in open or tacit disapproval of Monroe's course. England herself, even after Canning succeeded Castlereagh, refused to approve. Spain protested vigorously; and, as far as concerned objections, the Spanish minister in Washington offered them in great numbers and with sufficient energy. He instantly protested, not only on grounds of morality and fact, but also of policy. "Buenos Ayres," he said, was "sunk in the most complete anarchy;" in Peru, "near the gates of its capital," a rebel and a Spanish army divided the inhabitants; in Chili, "an individual suppresses the sentiments of its inhabitants;" "on the coast of Terra Firma, also, the Spanish banners wave;" "in Mexico, too, there is no government;" and he concluded, with force: "Where then are those governments which ought to be recognized?"

The question was not without difficulties, as Monroe knew; and on this point all Europe supported the Spanish contention. Although Congress unanimously approved and adopted the President's views, and immediately appropriated \$100,000 for diplomatic expenses; and although Mexico, Colombia, Chile, and Buenos Ayres were in consequence admitted into the family of nations by the sole authority of the President of the United States, with the approval of Congress, two years passed before the British Government consented even to discuss the subject in Parliament as a serious measure of policy.

Then, on June 15, 1824, a motion was made by Sir James Mackintosh, and Canning replied. His speech made no allusion to the action of the United States; it denied the *de facto* right of recognition so far as to say that "we ought not to acknowledge the separate and independent existence of any government which is so doubtfully established that the mere effect of that acknowledgment shall be to mix parties again in internal squabbles if not in open hostilities." Canning still thought "that, before we can act, information as to matters of fact is necessary."

Nevertheless, Monroe's act, which extinguished the last hopes of the Holy Alliance in America, produced the deepest sensation among European conservatives, and gave to the United States extraordinary consideration. England used it as a weapon at the Congress of Verona to threaten the other powers when they decided on intervention in Spain. Slowly Canning came wholly over to the side of Monroe as France and Austria forced his hands in Spain. As early as October, 1823, he sent consuls to all the chief cities in rebellion throughout Mexico and Central and South America. Immediately after his speech in Parliament

of June 15, 1824, he authorized his consul at Buenos Ayres to negotiate a commercial treaty with that Government. On the 1st of January, 1825, he notified other powers that England had determined to recognize the independence of Colombia, Mexico, and Buenos Ayres. In a speech in Parliament on the 15th of February, 1825, he explained and defended his conduct, blaming the United States, by implication, for pursuing "a reckless and headlong course," and claiming credit for following one "more strictly guarded in point of principle." "The whole question was one of time and mode."

Notwithstanding Canning's explanation, the principle of intervention on which he acted was not clear. Nothing in his act of recognition revealed a rule of any general value. He considered that "any other period or mode than that chosen would have been liable to some objection." Yet the period and mode he chose were strongly objected to throughout Europe, and met with energetic protest from Spain. Nearly two years more passed before he cleared up the mystery. Then, when driven to armed intervention in the affairs of Spain and Portugal, he made, on the 12th of December, 1826, a speech in Parliament which was perhaps the most celebrated of his life. At the very end of this speech he explained the "principle" on which he had acted in regard to the independence of the Spanish colonies, and the "time and mode" of recognition. It was the moment when a French army took possession of Spain:

If France occupied Spain, was it necessary, in order to avoid the consequences of that occupation, that we should blockade Cadiz? No! I looked another way. I sought materials of compensation in another hemisphere. Contemplating Spain, such as our ancestors had known her, I resolved that if France had Spain, it should not be Spain "with the Indies." I called the New World into existence to redress the balance of the Old.

The principle thus avowed by Canning added little to the European law of intervention; but the principle avowed by Monroe created an entire body of American jurisprudence. As an isolated act it meant little, but in Monroe's view it was not an isolated act; it was part of a system, altogether new and wholly American; and it was to be justified on grounds far wider than itself. The European law and practice of intervention, extending, as it did, its scope and energy with every new step in European development, could be met only by creating an American law and practice of intervention exclusive of the European within the range of its influence. This Monroe did not hesitate to do. With boldness which still startles and perplexes the world, he lopped off one great branch of European intervention and empire and created a new system of international relations. His opportunity was given by Canning, who, in the midst of his European difficulties in 1823, intimated that England would be well pleased to see the United States take ground even more advanced than in the recognition of the South American revolted States. Monroe lost no time in doubts or hesitations. In his annual message of December, 1823, he announced the principle that the new nations which his act alone had recognized as independent were by that act placed outside of the European system, and that the United States would regard any attempt to extend that system among them as unfriendly to the United States.

With the Governments who have declared their independence, and maintained it, and whose independence we have, on great consideration and on just principles, acknowledged, we could not view any interposition for the purpose of oppressing them, or controlling in any other manner their destiny, by any European power in any other light than as the manifestation of an unfriendly disposition toward the United States. \* \* \* It is impossible that the allied powers should extend their

political system to any portion of either continent without endangering our peace and happiness. \* \* \* It is equally impossible, therefore, that we should behold such interposition in any form with indifference.

So sweeping a right of intervention had never been claimed unless by Russia in regard to the Greeks in 1821, and has never been exercised by any other single power; but the claim rested on the same general ground as that of the innumerable interventions of Europe. "Danger to our peace and happiness" was not essentially different from "danger to peace, honor, political power, and interests" which European nations had alleged as just reasons for intervention, and while the right of intervention on this ground was so energetically maintained, the right of deciding absolutely as to the time and mode of intervention was as energetically exercised by Monroe.

From that day to this the American people have always, and unanimously, supported and approved the Monroe doctrine. They needed no reasoning to prove that it was vital to their safety. The enormous and rapidly increasing force developed by Europe in her system of joint action, from the treaty of Verona to the overwhelming authority, hitherto unknown to mankind, which was exhibited in the treaty of Berlin; the rapid extension of her system over the rest of the world, and the inevitable pressure of its expansion; her immense superiority in wealth and mechanical resources; the irresistible energy of her enormous naval and military armaments when concentrated, as under the Berlin treaty, in a single mass, left no doubt that America must abandon the hope of independence if she could not maintain a system of her own. Europeans, indeed, sometimes expressed fear of America, but their fears rested only on the assumption that America could stand apart. Even the celebrated historian Niebuhr complained because the Czar did not conquer the Turkish Empire and found Christian states in Asia Minor in order to balance the growing power of America. Europe did not, it is true, adopt Niebuhr's advice and colonize Asia Minor, but she conquered, or subdued under her system, all the rest of Asia, and used this accession of strength for her common objects. She spread her system over all Asia, all Africa, all Australasia, and all Polynesia. America made no contest, even within America, except in regard to those countries or communities which expressly declared their will and their power to be American.

Within that limited range President Monroe attempted to build up an American system. He disclaimed the right or the intention to interfere with actual European possessions in America, so long as these communities were contented to remain European; but he claimed and exercised, under the broadest principle, the right to intervene in favor of communities that plainly displayed their wish and their power to be American; and, what was vital to the exercise of his claim, he asserted and used in its fullest extent the right to judge for himself, and finally, both as to "time and mode,"—both when and how—any particular community had proved its will and its right to claim admission into the American system. Against the opposition of all Europe, and at the risk of many and serious embarrassments, Monroe took and successfully held ground which his successors have struggled with varying fortune to maintain.

The right of intervention lay necessarily at the bottom of the strife of forces, and the United States exercised it freely, although usually striving to exercise it for the common good of an American system. In the case of Texas, the United States Government, as is notorious, exercised the whole right of intervention against an American power; but

the case of Texas did not differ in principle from that of Colombia, except in being wholly an American and domestic affair. In both instances the intervention rested on the claim of the Executive and the Legislature to be absolute and final judge of the "time and mode" of interference. In no case were other governments expected to sanction the decision in order to give it validity.

In the case of Texas, however, we have to call attention to a subject on which the proposed action of Congress necessarily depends.

In a report made June 18, 1836, by Mr. Clay, from the Senate Committee on Foreign Relations, in respect to the recognition of the independence of Texas (Senate Doc. 406, Twenty-fourth Congress, first session), are the following passages:

The recognition of Texas as an independent power may be made by the United States in various ways: First, by treaty; second, by the passage of a law regulating commercial intercourse between the two powers; third, by sending a diplomatic agent to Texas with the usual credentials; or, lastly, by the Executive receiving and accrediting a diplomatic representative from Texas, which would be a recognition as far as the Executive only is competent to make it. In the first and third modes the concurrence of the Senate in its executive character would be necessary, and in the second in its legislative character.

The Senate alone, without the cooperation of some other branch of the Government, is not competent to recognize the existence of any power.

The President of the United States, by the Constitution, has the charge of their foreign intercourse. Regularly he ought to take the initiative in the acknowledgment of the independence of any new power, but in this case he has not yet done it, for reasons which he, without doubt, deems sufficient. If in any instance the President should be tardy, he may be quickened in the exercise of his power by the expression of the opinion, or by other acts, of one or both branches of Congress, as was done in relation to the Republics formed out of Spanish America. But the committee do not think that on this occasion any tardiness is justly imputable to the Executive. About three months only have elapsed since the establishment of an independent government in Texas, and it is not unreasonable to wait a short time to see what its operation will be, and especially whether it will afford those guarantees which foreign powers have a right to expect before they institute relations with it.

Taking this view of the whole matter, the committee concluded by recommending to the Senate the adoption of the following resolution:

*Resolved*, That the independence of Texas ought to be acknowledged by the United States whenever satisfactory information shall be received that it has in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power.

President Andrew Jackson, in his Texas message of December 21, 1836, began by calling attention to these resolutions passed by "the two Houses at their last session, acting separately, 'that the independence of Texas ought to be acknowledged by the United States whenever satisfactory information should be received that it had in successful operation a civil government capable of performing the duties and fulfilling the obligations of an independent power.'" After treating shortly the principles of recognition, President Jackson continued:

Nor has any deliberate inquiry ever been instituted in Congress, or in any of our legislative bodies, as to whom belonged the power of recognizing a new State—a power the exercise of which is equivalent, under some circumstances, to a declaration of war; a power nowhere expressly delegated, and only granted in the Constitution, as it is necessarily involved in some of the great powers given to Congress; in that given to the President and Senate to form treaties with foreign powers, and to appoint ambassadors and other public ministers, and in that conferred upon the President to receive ministers from foreign nations. In the preamble to the resolution of the House of Representatives it is distinctly intimated that the expediency of recognizing the independence of Texas should be left to the decision of Congress. In this view, on the ground of expediency, I am disposed to concur, and do not therefore consider it necessary to express any opinion as to the strict constitutional right of the Executive, either apart from or in conjunction with the Senate over

the subject. It is to be presumed that on no future occasion will a dispute arise, as none has heretofore occurred, between the Executive and the Legislature in the exercise of the power of recognition. It will always be considered consistent with the spirit of the Constitution and most safe that it should be exercised, when probably leading to war, with a previous understanding with that body by whom war can alone be declared, and by whom all the provisions for sustaining its perils must be furnished. Its submission to Congress, which represents in one of its branches the States of this Union and in the other the people of the United States, where there may be reasonable ground to apprehend so grave a consequence, would certainly afford the fullest satisfaction to our own country and a perfect guaranty to all other nations of the justice and prudence of the measures which might be adopted.

The initiative thus asserted by Congress and conceded by President Jackson to Congress in the case of the recognition of Texas was followed in the case of Hungary by President Taylor in the instructions already quoted, which authorized his agent to invite the revolutionary government of Hungary to send to the United States a diplomatic representative, since the President entertained no doubt that in such case at the next meeting of Congress "her independence would be speedily recognized by that enlightened body."

Until now no further question has been raised in regard to the powers of Congress.

So much space has been taken by this historical summary that the case of Texas must be passed over without further notice, and the cases of Haiti and Santo Domingo may be set aside as governed by peculiar influences. The record shows that in every instance except Poland down to 1850 where any people has claimed independence by right of revolt the right of intervention has been exercised against the will of one or the other party to the dispute. In every instance the only question that has disturbed the intervening powers has regarded neither the right nor the policy so much as the "time and mode" of action. The only difference between the European and American practice was that the United States aimed at moderating or restricting the extreme license of European intervention, and this was the difference which brought the United States nearly into collision with Europe in 1861 and 1862. Lords Palmerston and Russell, as well as the Emperor Napoleon and his ministers, entertained no doubt of their right to intervene even before our civil war had actually commenced, and accordingly recognized the insurgent States as belligerents in May, 1861, although no legal question had yet been raised requiring such a decision. The United States Government never ceased to protest with the utmost energy against the act as premature and unjust, and this last and most serious case of interference, in which the United States was concerned as an object of European intervention, revealed the vital necessity of their American system at the same time that it revealed the imminent danger of its destruction.

#### THE UNITED STATES AND MEXICO, 1861-1866.

Allusion has been already made to the declaration of Lord John Russell on the part of the British Government in the House of Commons May 6, 1861, in which he announced that the law officers of the Crown had already "come to the opinion that the Southern Confederacy of America, according to those principles which seem to them to be just principles, must be treated as a belligerent." This astonishing promise of belligerency to an insurrection which had by the latest advices at that time neither a ship at sea nor an army on land, before the fact of war was officially known in England to have been proclaimed by either party, was accompanied by a letter of the same date from Lord John

Russell to the British ambassador at Paris, in which he said that the accounts which had been received from America were "sufficient to show that a civil war has broken out among the States which lately composed the American Union."

Other nations have therefore to consider the light in which, with reference to that war, they are to regard the Confederacy into which the Southern States have united themselves; and it appears to Her Majesty's Government that, looking at all the circumstances of the case, they can not hesitate to admit that such Confederacy is entitled to be considered as a belligerent, invested with all the rights and prerogatives of a belligerent.

Under these circumstances, Lord John Russell invited the Emperor of France to cooperate with England in "a joint endeavor" to obtain "from each of the belligerents" certain concessions in favor of neutrals. On May 8 the French minister "concurred entirely in the views of Her Majesty's Government" and pledged himself to the joint action. On May 13 the British Government issued its formal proclamation of neutrality between the United States and "certain States styling themselves the Confederate States of America."

Lord John Russell justified this action on the ground of "the size and population of the seceding States" and "the critical condition of our (British) commerce." He denied that the British Government had any thought of giving assistance to the South.

Nevertheless, the language of Lord John Russell showed that he considered the issue as decided in advance and that his measures were shaped on that assumption. His speech of May 6 characterized the insurgents without qualification as "the Southern Confederacy of America." In his official correspondence with his official agents he used the term "Northern or Southern confederation of North America," or "the Confederate States of America," as though their independence were fully established. All his expressions and acts warranted the belief that the recognition of belligerency was in his mind only a preliminary step to the recognition of independence as an already accomplished fact, and that he had hurried the declaration of belligerency in order to avoid the remonstrances certain to be made by the new American minister about to arrive. More serious still as a symptom of European temper was the joint action concerted between England and France, which soon proved that England, while waiting for the dissolution of the Union, meant, in recognizing the independence of the Southern Confederacy, to revive her old belligerent claims of 1812, which had never been expressly abandoned.

This threatened wreck of all American rights was even more imminent than our highest officials supposed. Only by slow degrees have we learned how narrow an escape we made, and even at this day much remains to be revealed. We know that as early as March, 1861, the French minister at Washington advised his Government to recognize the Confederate States, and in May he advised it to intervene by forcibly raising the American blockade. Mercier's recommendation was communicated to Russell, who entertained no doubts as to the right of intervention, either diplomatic or military, even at that early moment when the serious operations of war had hardly begun.

There is much good sense in Mercier's observations [wrote Russell to Palmerston, October 17]. But we must wait; I am persuaded that, if we do anything, it must be on a grand scale. It will not do for England and France to break a blockade for the sake of getting cotton; but in Europe powers have often said to belligerents: "Make up your quarrels. We propose to give terms of pacification which we think fair and equitable. If you accept them, well and good. But if your adversary accepts them, and if you refuse them, our mediation is at an end, and you must expect to see us your enemies."



France would be quite ready to hold this language with us. If such a policy were to be adopted, the time for it would be the end of the year, or immediately before the meeting of Parliament.

Already (on May 6) Russell had officially announced the Greek precedent as his rule of law. In October he was ready to take the last step but one in the line of the Greek example. The five years of 1821 counted as five months in 1861. Palmerston was not yet ready. And the concession of the United States in the Trent affair, in the following winter, made an aggressive movement less popular in England. But in the autumn of 1862 Palmerston also thought the moment had arrived. Neither of these two powerful statesmen, the highest English authorities of their times on the subjects of foreign relations, doubted the right or the expediency of intervention after the second campaign in Virginia. On September 14, 1862, Palmerston wrote to Russell suggesting a joint offer by England and France of what is diplomatically called "good offices," as in the Greek protocol of 1826. Russell eagerly approved:

Whether the Federal Army is destroyed or not [replied Russell to Palmerston, September 17, 1862] it is clear that it is driven back to Washington and has made no progress in subduing the insurgent States. Such being the case, I agree with you that the time is come for offering mediation to the United States Government with a view to the recognition of the independence of the Confederates. I agree, further, that in case of failure we ought ourselves to recognize the Southern States as an independent State. For the purpose of taking so important a step I think we must have a meeting of the Cabinet. The 23d or 30th would suit me for the meeting.

We ought then, if we agree on such a step, to propose it first to France, and then, on the part of England and France, to Russia and other powers, as a measure decided upon by us.

We ought to make ourselves safe in Canada. \* \* \*

In this scheme of intervention Russell once more advanced beyond the Greek precedent. Canning would move only in concert with Russia. Russell proposed to move in concert with France alone.

Palmerston replied September 23:

Your plan of proceedings about the mediation between the Federals and Confederates seems to be excellent. Of course the offer would be made to both the contending parties at the same time, for, though the offer would be as sure to be accepted by the Southern as was the proposal of the Prince of Wales to the Danish princess, yet in the one case, as in the other, there are certain forms which it is decent and proper to go through.

A question would occur whether, if the two parties were to accept mediation, the fact of our mediating would not of itself be tantamount to an acknowledgment of the Confederates as an independent State.

Might it not be well to ask Russia to join England and France in the offer of mediation? \* \* \*

We should be better without her in the mediation, because she would be too favorable to the North; but, on the other hand, her participation in the offer might render the North the more willing to accept it.

The middle of October was the time suggested by Palmerston for action.

If the Federals sustain a great defeat they may be at once ready for mediation, and the iron should be struck while it is hot. If, on the other hand, they should have the best of it, we may wait awhile and see what may follow.

Fortunately for the United States, Russell and Palmerston found their serious difficulties not in France or in the law, but in the political division of their own party. These two powerful statesmen, who had been both honored with the position of prime minister of England, had united their influence to create the existing ministry. They seem to have supposed that their united authority was sufficient to control the ministry they had created, but the moment Russell opened the subject to others he received a check. He persevered; he issued a confidential

memorandum suggesting his idea; he brought the subject before a cabinet meeting October 23, 1862, and the division of opinion proved to be so serious that the subject was postponed. The question became one of internal politics, social divisions, and party majorities.

The scheme of intervention was embraced by the Emperor of France as seriously as by Russell and Palmerston. Long before the two English statesmen decided to act, Napoleon III had given his first interview to the Confederate agent accredited to his Government. News of the defeat of the Union army before Richmond reached Paris on the 15th of July, 1862, and the next day Mr. Slidell asked and received an interview. The Emperor talked with exceeding frankness, according to the report made by Mr. Slidell to Mr. Benjamin:

The Emperor received me with great kindness and [said] \* \* \* that he had from the first seen the true character of the contest, and considered the reestablishment of the Union impossible and final separation a mere question of time; that the difficulty was to find a way to give effect to his sympathies; that he had always desired to preserve the most friendly relation with England, and that in so grave a question he had not been willing to act without her cooperation; that he had several times intimated his wish for action in our behalf, but had met with no favorable response, and that, besides, England had a deeper interest in the question than France; that she wished him to draw the chestnuts from the fire for her benefit; \* \* \* that he had committed a great error which he now deeply regretted; France should never have respected the blockade; that the European powers should have recognized us last summer when our ports were in our possession and when we were menacing Washington, but what, asked he, could now be done?

Napoleon's language was not official, but he had committed himself beyond recall by the policy he described, for hardly had the civil war broken out than he had plunged into a scheme of armed intervention in Mexico. Perhaps the ultimate salvation of America, in this crisis, was due to the mistake of judgment which led Europe to attack the Monroe doctrine and the American system in Mexico instead of attacking its heart. He made no secret of his wish to substitute French influence on the Gulf of Mexico in the place of American. This had been the dream of every great French ruler, and Napoleon III had a "doctrine" of his own, far more ancient than that of Monroe and backed by more formidable military force. Europe did intervene by arms in the American civil war, but fortunately she attacked our ally and only indirectly ourselves. Fortunately, too, in betraying his ultimate objects in Mexico, Napoleon alienated England and did not conciliate Spain.

Yet the attack was made, violently in Mexico, more cautiously at Washington, and as systematically as the mutual jealousies of Europe permitted. At the moment when Russell and Palmerston brought their scheme of intervention before the British cabinet, Napoleon sent reinforcements of 35,000 men to his force in Mexico, with orders to occupy the country, and simultaneously sent a formal invitation to England and Russia to intervene in the American civil war.

These papers have not been published, and we do not know the express grounds on which the invitation was offered or declined. To the fact that Russia was avowedly friendly, and that the two most powerful British prime ministers of their time were outvoted in their own cabinet, America owed her escape from European domination. Mexico, indeed, suffered severely, but only while our civil war was in doubt. From the moment the authority of the Union was wholly restored in 1865, the entire influence of the United States Government was exerted to reestablish also the authority of the Monroe doctrine. The life of the one was dependent on the life of the other.

## CUBA.

Into this American system, thus created by Monroe in 1822-23, and embracing then, besides the United States, only Buenos Ayres, Chile, Colombia, and Mexico, various other communities have since claimed, and in most cases have received admission, until it now includes all South America, except the Guianas; all Central America, except the British colony of Honduras, and the two black Republics of Spanish Santo Domingo and Haiti in the Antilles.

No serious question was again raised with any European power in regard to the insurrection or independence of their American possessions, until in 1860, a rebellion broke out in Cuba, and the insurgents, after organizing a government and declaring their independence, claimed recognition from the United States.

The Government of the United States had always regarded Cuba as within the sphere of its most active and serious interest. As early as 1825, when the newly recognized States of Colombia and Mexico were supposed to be preparing an expedition to revolutionize Cuba and Puerto Rico, the United States Government interposed its friendly offices with those Governments to request their forbearance. The actual condition of Spain seemed to make her retention of Cuba impossible, in which case the United States would have been obliged, for her own safety, to prevent the island from falling into the hands of a stronger power in Europe. That this emergency did not occur may have been partly due to the energy with which Monroe announced "our right and our power to prevent it," and his determination to use all the means within his competency "to guard against and forefend it."

This right of intervention in matters relating to the external relations of Cuba, asserted and exercised seventy years ago, has been asserted and exercised at every crisis in which the island has been involved.

When the Cuban insurgents in 1869 appealed to the United States for recognition, President Grant admitted the justice of the claim, and directed the minister of the United States at Madrid to interpose our good offices with the Spanish Government in order to obtain by a friendly arrangement the independence of the Island. The story of of that intervention is familiar to every member of the Senate, and was made the basis of its resolution last session, requesting the President once more "to interpose his friendly offices with the Spanish Government for the recognition of the independence of Cuba."

The resolution then adopted by Congress was perfectly understood to carry with it all the consequences which necessarily would follow the rejection by Spain of friendly offices. On this point the situation needs no further comment. The action taken by Congress in the last session was taken "on great consideration and on just principles," on a right of intervention exercised twenty-seven years ago, and after a patient delay unexampled in history.

The interval of nine months which has elapsed since that action of Congress, has proved the necessity of carrying it out to completion. In the words of the President's Annual Message: "The stability two years' duration has given to the insurrection; the feasibility of its indefinite prolongation in the nature of things, and as shown by past experience; the utter and imminent ruin of the island unless the present strife is speedily composed" are, in our opinion, conclusive evidence that "the inability of Spain to deal successfully with the insurrection has become manifest, and it is demonstrated that the sovereignty is

extinct in Cuba for all purposes of its rightful existence, \* \* \* a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict."

Although the President appears to have reached a different conclusion from ours, we believe this to be the actual situation of Cuba, and, being unable to see that further delay could lead to any other action than that which the President anticipates, we agree with the conclusion of the message, that, in such case, our obligations to the sovereignty of Spain are "superseded by higher obligations which we can hardly hesitate to recognize and discharge." Following closely the action of President Monroe in 1818, Congress has already declared in effect its opinion that there can be no rational interference except on the basis of independence.

In 1822, as now, but with more force, it was objected, as we have shown, that the revolted States had no governments to be recognized. Divisions, and even civil war, existed among the insurgents themselves. Among the Cubans no such difficulty is known to exist. In September, 1895, as we know by official documents printed on the spot, the insurgent government was regularly organized, a constitution adopted, a president elected, and, in due course, the various branches of administration set in motion. Since then, so far as we are informed, this government has continued to perform its functions undisturbed. On the military side, as we officially know, they have organized, equipped, and maintained in the field, sufficient forces to baffle the exertions of 200,000 Spanish soldiers. On the civil side they have organized their system of administration in every province for, as we know officially, they "roam at will over at least two-thirds of the inland country." Diplomatically they have maintained a regularly accredited representative in the United States for the past year, who has never ceased to ask recognition and to offer all possible information. There is no reason to suppose that any portion of the Cuban people would be dissatisfied by our recognizing their representative in this country or that they disagree in the earnest wish for that recognition. The same thing could hardly be said of all the countries recognized by Monroe in 1822. Greece had no such stability when it was recognized by England, Russia, and France. Belgium had nothing of the sort when she was recognized by all the powers in 1830. Of the States recognized by the treaty of Berlin in 1878, we need hardly say more than that they were the creatures of intervention.

The only question that properly remains for Congress to consider is the mode which should be adopted for the step which Congress is pledged next to take.

The Government of the United States entertains none but the friendliest feelings toward Spain. Its most anxious wish is to avoid even the appearance of an unfriendliness which is wholly foreign to its thought. For more than a hundred years, amidst divergent or clashing interests, and under frequent and severe strains, the two Governments have succeeded in avoiding collision, and there is no friendly office which Spain could ask, which the United States, within the limits of their established principles and policy, would not be glad to extend. In the present instance they are actuated by an earnest wish to avoid the danger of seeming to provoke a conflict.

The practice of Europe in regard to intervention, as in the instances cited, has been almost invariably harsh and oppressive. The practice of the United States has been almost invariably mild and forbearing.

Among the precedents which have been so numerous cited there can be no doubt as to the choice. The most moderate is the best. Among these, the attitude taken by President Monroe in 1822 is the only attitude which can properly be regarded as obligatory for a similar situation to-day. The course pursued by the United States in the recognition of Colombia is the only course which Congress can consistently adopt.

We recommend, therefore, the joint resolution, with amendments to read as follows:

*"Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the independence of the Republic of Cuba be, and the same is hereby, acknowledged by the United States of America.*

*"Be it further resolved, That the United States will use its friendly offices with the Government of Spain to bring to a close the war between Spain and the Republic of Cuba."*

### ADDITIONAL VIEWS PRESENTED BY MR. MORGAN AND MR. MILLS IN SUPPORT OF THE REPORT OF THE COMMITTEE.

The report of the committee has the unqualified approval of the undersigned members of that body, but they conceive that it is well to present therewith the former action of the Committee on Foreign Relations, in 1859, on the same subject and on some of the same points that are discussed in the present report.

On January 24, 1859, the Senate Committee on Foreign Relations had under consideration a Senate bill "making appropriations to facilitate the acquisition of the island of Cuba by negotiation," and made a report, which is hereto appended and designated as Appendix No. 1.

That report covers a period of fifty-nine years, and sets forth the political conditions then existing in Cuba, and the disastrous effects of Spanish rule in Cuba, during that time. They were the same, in their leading characteristics, that existed at the beginning of the insurrection that was set on foot by the native population in 1868, in the outbreak at Yara, which was followed by ten years of internecine warfare attended with horrible butcheries.

The causes that provoked that uprising of the native Cubans were the same that are stated in the report of the committee, made ten years previously, in 1859. They are summed up in the following general statement of that committee:

There can be no doubt that an immense majority of the people of Cuba are not only in favor but ardently desirous of annexation to the United States.

It would be strange, indeed, if they were not so. Deprived of all influence even in the local affairs of the island; unrepresented in the Cortes; governed by successive hordes of hungry officials sent from the mother country to acquire fortunes to be enjoyed at home, having no sympathy with the people among whom they are mere sojourners and upon whom they look as inferiors; liable to be arrested at any moment on the most trifling charges; tried by military courts or submissive judges, removable at pleasure, punished at the discretion of the captain-general, they would be less than men if they were contented with their yoke.

The "mother country," as it is styled by the committee, is thus described in their report:

Spain is a country of coups d'état and pronunciamientos. The all-powerful minister of to-day may be a fugitive to-morrow. With the forms of a representative government, it is in fact a despotism sustained by the bayonet—a despotism tempered only by frequent, violent, and bloody revolutions. Her financial condition is one of extreme embarrassment.

Spain is not the "mother country of Cuba" even in the sense of having supplied that island with a large part of the ancestors of her present population. She is a cruel stepmother, whose introduction into the Cuban family has been the immediate cause of the robbery of the stepchildren of their inheritance and their cruel persecution to keep down revolt.

The committee were engaged, in 1859, in providing for the purchase of Cuba by negotiations with Spain, and were as gentle in their description of Spanish rule in Cuba as a decent respect for the world's knowledge of the truth of the actual situation of the people there would

permit. It is dark enough without the illumination of the fires of devastation these succeeding years have witnessed in Cuba.

Among the great debates in Congress upon that report of the Committee on Foreign Relations, the part of a speech that relates to Cuba and the report of the committee above referred to, made by Hon. Judah P. Benjamin, in the Senate, on February 11, 1859, is appended hereto, marked appendix No. 2. Mr. Benjamin gives an accurate and much more complete statement of the condition of the people of Cuba and the methods of Spanish government in that island than is stated in the report of the committee.

The relations of Spain and the United States were not then strained by the disturbances of actual insurrection in Cuba, as they were afterwards, from 1868 to 1878, and have been almost ever since, and are now, by the excessive and inhuman abuses of power in Cuba, to which no limit can be now anticipated, either as to the time when they will end or the increased cruelty that is now a settled feature of the present Spanish war of extermination.

The President recognizes the fact that the present war is for independence on the part of the Cubans and not for the gratification of personal ambition, or alone for the redress of personal or political grievances with which the painful history of their sufferings is crowded. For the sake of liberty and the independence of their country they are willing to forget the recompense that is due them for their individual sufferings.

Hon. T. Estrada Palma was duly accredited as diplomatic delegate plenipotentiary to the United States, under an appointment by the Constituent Assembly of the Republic of Cuba. He appears to have been received informally for the purpose of presenting the case of Cuba to our Government. On the 7th December, 1895, he addressed a note to the Secretary of State, accompanied by a statement of facts, in which the case of Cuba is set forth officially. That document has been printed by the order of the Senate, and is appended hereto and numbered 3.

In the papers that accompanied this note the delegate stated the causes of the revolution in Cuba; that it had reached that stage in which the issue between the contending parties "is independence or extermination."

The recent message of the President is clear on the point that he has been forced to the same conclusion.

The delegate then stated the facts, showing the preliminary organization of the revolt; the uprising; the growth of the revolution; the battles and campaigns that had already been fought, including the great and victorious campaign of Gomez against Capt. Gen. Martinez Campos, which caused him to be recalled to Spain and supplanted by Captain-General Weyler; the military organization of the Cubans; their civil government; their treatment of prisoners; that the government he represented is not a negro government; the character of the war; the protests of resident citizens of the United States in Cuba against their cruel treatment by the Spanish forces; that their lives and property are placed under the special protection of the Cuban government, and that they are exempt from taxes and contributions by the constitution of the Republic of Cuba, when that government is recognized by their respective governments.

The letter of the Cuban delegate thus addressed to our Secretary of State has appended to it several papers which set forth fully the grievances complained of by the Cuban people. In its nature it is a declaration of the independence of Cuba, stating the grounds of their

united action. That declaration is in keeping with the historical narrative given by Mr. Benjamin in his speech, herewith presented, and with the report of the Committee of Foreign Relations in 1859, and with the messages of President Grant and President Hayes, and the letters of Mr. Sickles and Dr. Cushing, as ministers to Spain, and of Mr. Fish and Mr. Evarts, as Secretaries of State.

All these papers are uniform in their statements of the wrongs and grievances of the Cuban people, and of the wrongful and tyrannical course of Spain toward them. In none of them is any fact or reason stated to excuse or palliate the cruelties that Spain has inflicted upon her subjects in Cuba. In none of them is any bad purpose imputed to the Cuban people.

No one has contradicted those statements, or any material part of them, on the authority of the Spanish Government or before any official or other credible authority.

The tenor of the message of the President to this session of Congress is a reaffirmation of all this history, stated in all these papers. In the part of his message relating to Cuba he has laid them before Congress without any special recommendation, and has left to Congress the duty of making provision for the security of the rights, the property, and the lives of our citizens residing in Cuba, and of enforcing the right of indemnity on behalf of the legal successors of those who have been killed there. He has intimated that delay is the wisest policy, but he has refrained from saying that delay is required by our national honor, by the safety of our people in Cuba or by the interests of humanity.

A comparison of this message, which is appended hereto and marked Appendix 4, will show that it agrees with the statements of every President who has attended to the subject, and it further shows that the same spirit of tyrannical domination now prevails in Cuba that has kept the people of that island in despairing servitude during this entire century.

The message of Mr. Cleveland, who has no aversion to Spanish rule in Cuba, confirms, in all important statements, the truth of the charges made by Mr. Estrada Palma against Spain in the exposition of the case of Cuba which he presented to our Secretary of State.

The only difference in the situation in Cuba, as it is described in the report of the Senate Committee on Foreign Relations in 1859 and as it is described in the President's message in 1896, thirty-seven years later, is that as time has progressed the wrongs of Cuba have been aggravated and the means of repression employed by Spain have grown into a war against humanity—a war of annihilation of property and the extermination of the native population.

If the firm purpose of our predecessors to put an end to this condition of affairs in Cuba in the comparatively mild form of tyranny that existed fifty years ago has degenerated into doubts and misgivings as to our duty to our own people and the demands of Christian civilization, let the responsibility for this lapse from the true spirit of American liberty and our love of home rule and independence rest where it justly belongs, and not upon the people through the indifference to their will on the part of their Representatives in Congress.

Concurring in all that is said in the general report of the committee, the additional facts herein stated are presented as additional reasons for agreeing to that report, and for the passage of the resolution of the Senator from Pennsylvania (Mr. Cameron), which the committee recommends.

JOHN T. MORGAN.  
R. Q. MILLS.



## APPENDIX No. 1.

Senate Report No. 351, Thirty-fifth Congress, second session.

JANUARY 24, 1859.

Mr. Slidell made the following report, to accompany bill S. 497:

The Committee on Foreign Relations, to whom was referred the bill (S. 497) making appropriations to facilitate the acquisition of the Island of Cuba by negotiation, have had the same under consideration, and now respectfully report:

It is not considered necessary by your committee to enlarge upon the vast importance of the acquisition of the Island of Cuba by the United States. To do so would be as much a work of supererogation as to demonstrate an elementary problem in mathematics, or one of those axioms of ethics or philosophy which have been universally received for ages. The ultimate acquisition of Cuba may be considered a fixed purpose of the United States, a purpose resulting from political and geographical necessities which have been recognized by all parties and all Administrations, and in regard to which the popular voice has been expressed with a unanimity unsurpassed on any question of national policy that has heretofore engaged the public mind.

The purchase and annexation of Louisiana led, as a necessary corollary, to that of Florida, and both point with unerring certainty to the acquisition of Cuba. The sparse and feeble population of what is now the great West called in 1800 for the free navigation of the Mississippi and the enforcement of the right of deposit at New Orleans. In three years not only were these privileges secured, but the whole of the magnificent domain of Louisiana was ours. Who now doubts the wisdom of a measure which at the time was denounced with a violence until then unparalleled in our political history?

From the day we acquired Louisiana the attention of our ablest statesmen was fixed on Cuba. What the possession of the mouth of the Mississippi had been to the people of the West that of Cuba became to the nation. To cast the eye upon the map was sufficient to predict its destiny. A brief reference will show the importance attached to the question by our leading statesmen and the steadiness and perseverance with which they have endeavored to hasten the consummation of so vital a measure.

Mr. Jefferson, in a letter to President Madison, of the 27th of April, 1809, speaking of the policy that Napoleon would probably pursue toward us, says:

He ought to be satisfied with having forced her (Great Britain) to revoke the orders on which he pretended to retaliate, and to be particularly satisfied with us, by whose unyielding adherence to principle she has been forced into the revocation. He ought the more to conciliate our good will, as we can be such an obstacle to the new career opening on him in the Spanish colonies. That he would give us the Floridas to withhold intercourse with the residue of those colonies can not be doubted. But that is no price, because they are ours in the first moment of the first war, and until a war they are of no particular necessity to us. But, although with difficulty, he will consent to our receiving Cuba into our Union to prevent our aid to Mexico and the other provinces. That would be a price, and I would immediately erect a column on the

southernmost limit of Cuba and inscribe on it a ne plus ultra as to us in that direction. We should then have only to include the north in our confederacy, which would be, of course, in the first war, and we should have such an empire for liberty as she has never surveyed since the creation; and I am persuaded no constitution was ever before so well calculated as ours for extensive empire and self-government.

It will be objected to our receiving Cuba that no limit can then be drawn to our future acquisitions. Cuba can be defended by us without a navy, and this develops the principle which ought to limit our views. Nothing should ever be accepted which would require a navy to defend it.

Again, in writing to President Monroe on the 23d June, 1823, he says:

For certainly her addition to our confederacy is exactly what is wanting to advance our power as a nation to the point of its utmost interest.

And in another letter to the same, on the 24th October, 1823, he says:

I candidly confess that I have ever looked on Cuba as the most interesting addition which could ever be made to our system of States. The control which, with Florida Point, this island would give us over the Gulf of Mexico and the countries and isthmus bordering on it would fill up the measure of our political well-being.

John Quincy Adams, while Secretary of State under Mr. Monroe, in his dispatch to Mr. Nelson, our minister to Madrid, of the 28th April, 1823, says:

In the war between France and Spain, now commencing, other interests, peculiarly ours, will in all probability be deeply involved. Whatever may be the issue of this war as between those two European powers, it may be taken for granted that the dominion of Spain upon the American continents, north and south, is irrecoverably gone. But the islands of Cuba and Puerto Rico still remain nominally and so far really dependent upon her that she yet possesses the power of transferring her own dominion over them, together with the possession of them, to others. These islands, from their local position and natural appendages to the North American continent, and one of them, Cuba, almost in sight of our shores, from a multitude of considerations, has become an object of transcendent importance to the commercial and political interests of our Union. Its commanding position, with reference to the Gulf of Mexico and the West India seas, the character of its population, its situation midway between our Southern coast and the Island of Santo Domingo, its safe and capacious harbor of the Habana, fronting a long line of our shores destitute of the same advantages, the nature of its productions and of its wants, furnishing the supplies and needing the returns of a commerce immensely profitable and mutually beneficial, give it an importance in the sum of our national interests with which that of no other foreign territory can be compared and little inferior to that which binds the different members of this Union together.

Such, indeed, are, between the interests of that island and of this country, the geographical, commercial, moral, and political relations formed by nature, gathering in the process of time, and even now verging to maturity, that, in looking forward to the probable course of events for the short period of half a century, it is scarcely possible to resist the conviction that the annexation of Cuba to our Federal Republic will be indispensable to the continuance and integrity of the Union itself. It is obvious, however, that for this event we are not yet prepared. Numerous and formidable objections to the extension of our territorial dominions beyond sea present themselves to the first contemplation of the subject; obstacles to the system of policy by which alone that result can be compassed and maintained are to be foreseen and surmounted both from at home and abroad; but there are laws of political as well as of physical gravitation; and if an apple, severed by the tempest from its native tree, can not choose but fall to the ground, Cuba, forcibly disjoined from its own unnatural connection with Spain and incapable of self-support, can gravitate only toward the North American Union, which, by the same law of nature, can not cast her off from its bosom.

The transfer of Cuba to Great Britain would be an event unpropitious to the interests of this Union. This opinion is so generally entertained that even the groundless rumors that it was about to be accomplished, which have spread abroad, and are still teeming, may be traced to the deep and almost universal feeling of aversion to it, and to the alarm which the mere probability of its occurrence has stimulated. The question both of our right and of our power to prevent it, if necessary by force, already obtrudes itself upon our councils, and the Administration is called upon, in the performance of its duties to the nation, at least to use all the means within its competency to guard against and forefend it.

On April 27, 1825, Mr. Clay, Secretary of State, in a dispatch to Mr. A. H. Everett, our minister at Madrid, instructing him to use his exertions to induce Spain to make peace with her revolted colonies, says :

The United States are satisfied with the present condition of those islands (Cuba and Puerto Rico) in the hands of Spain, and with their ports open to our commerce, as they are now open. This Government desires no political change of that condition. The population itself of the islands is incompetent at present, from its composition and its amount, to maintain self-government. The maritime force of the neighboring Republics of Mexico and Colombia is not now, nor is it likely shortly to be, adequate to the protection of those islands, if the conquest of them were effected. The United States would entertain constant apprehensions of their passing from their possession to that of some less friendly sovereignty; and of all the European powers, this country prefers that Cuba and Puerto Rico should remain dependent on Spain. If the war should continue between Spain and the new Republica, and those islands should become the object and the theater of it, their fortunes have such a connection with the prosperity of the United States that they could not be indifferent spectators; and the possible contingencies of such a protracted war might bring upon the Government of the United States duties and obligations the performance of which, however painful it should be, they might not be at liberty to decline.

Mr. Van Buren, writing to Mr. Van Ness, our minister to Spain, October 2, 1829, says :

The Government of the United States has always looked with the deepest interest upon the fate of those islands, but particularly of Cuba. Its geographical position, which places it almost in sight of our southern shores, and, as it were, gives it the command of the Gulf of Mexico and the West India seas, its safe and capacious harbors, its rich productions, the exchange of which for our surplus agricultural products and manufactures constitutes one of the most extensive and valuable branches of our foreign trade, render it of the utmost importance to the United States that no change should take place in its condition which might injuriously affect our political and commercial standing in that quarter. Other considerations, connected with a certain class of our population, make it the interest of the southern section of the Union that no attempt should be made in that island to throw off the yoke of Spanish dependence, the first effect of which would be the sudden emancipation of a numerous slave population, the result of which could not but be very sensibly felt upon the adjacent shores of the United States. On the other hand, the wisdom which induced the Spanish Government to relax in its colonial system, and to adopt with regard to those islands a more liberal policy which opened their ports to general commerce, has been so far satisfactory in the view of the United States as, in addition to other considerations, to induce this Government to desire that their possession should not be transferred from the Spanish Crown to any other power. In conformity with this desire, the ministers of the United States at Madrid have, from time to time, been instructed attentively to watch the course of events and the secret springs of European diplomacy, which, from information received from various quarters, this Government had reason to suspect had been put in motion to effect the transfer of the possession of Cuba to the powerful allies of Spain.

You are authorized to say that the long-established and well-known policy of the United States, which forbids their entangling themselves in the concerns of other nations, and which permits their physical force to be used only for the defense of their political rights and the protection of the persons and property of their citizens, equally forbids their public agents to enter into positive engagements, the performance of which would require the employment of means which the people have retained in their own hands; but that this Government has every reason to believe that the same influence which once averted the blow ready to fall upon the Spanish islands would again be found effectual on the recurrence of similar events; and that the high preponderance in American affairs of the United States as a great naval power, the influence which they must at all times command as a great commercial nation, in all questions involving the interests of the general commerce of this hemisphere, would render their consent an essential preliminary to the execution of any project calculated so vitally to affect the general concerns of all the nations in any degree engaged in the commerce of America. The knowledge you possess of the public sentiment of this country in regard to Cuba will enable you to speak with confidence and effect of the probable consequences that might be expected from the communication of that sentiment to Congress in the event of any contemplated change in the present political condition of that island.

And again, on the 13th of October, 1830:

This Government has also been given to understand that if Spain should persevere in the assertion of a hopeless claim to dominion over her former colonies they will feel it to be their duty, as well as their interest, to attack her colonial possessions in our vicinity, Cuba and Puerto Rico. Your general instructions are full upon the subject of the interest which the United States take in the fate of those islands and particularly of the former; they inform you that we are content that Cuba should remain as it now is, but could not consent to its transfer to any European power. Motives of reasonable state policy render it more desirable to us that it should remain subject to Spain rather than to either of the South American States. Those motives will readily present themselves to your mind; they are principally founded upon an apprehension that if possessed by the latter it would, in the present state of things, be in greater danger of becoming subject to some European power than in its present condition. Although such are our own wishes and true interests, the President does not see on what ground he would be justified in interfering with any attempts which the South American States might think it for their interest, in the prosecution of a defensive war, to make upon the islands in question. If, indeed, an attempt should be made to disturb them, by putting arms in the hands of one portion of their population to destroy another, and which in its influence would endanger the peace of a portion of the United States, the case might be different. Against such an attempt the United States (being informed that it was in contemplation) have already protested and warmly remonstrated in their communications last summer with the Government of Mexico; but the information lately communicated to us in this regard was accompanied by a solemn assurance that no such measures will, in any event, be resorted to; and that the contest, if forced upon them, will be carried on, on their part, with strict reference to the established rules of civilized warfare.

Mr. Buchanan, in his dispatch to Mr. R. M. Saunders, of June 17, 1848, said:

With these considerations in view, the President believes that the crisis has arrived when an effort should be made to purchase the Island of Cuba from Spain, and he has determined to intrust you with the performance of this most delicate and important duty. The attempt should be made, in the first instance, in a confidential conversation with the Spanish minister for foreign affairs; a written offer might produce an absolute refusal in writing, which would embarrass us hereafter in the acquisition of the island. Besides, from the incessant changes in the Spanish cabinet and policy our desire to make the purchase might thus be made known in an official form to foreign governments and arouse their jealousy and active opposition. Indeed, even if the present cabinet should think favorably of the proposition, they might be greatly embarrassed by having it placed on record, for in that event it would almost certainly, through some channel, reach the opposition and become the subject of discussion in the Cortes. Such delicate negotiations, at least in their incipient stages, ought always to be conducted in confidential conversation, and with the utmost secrecy and dispatch.

At your interview with the minister for foreign affairs you might introduce the subject by referring to the present distracted condition of Cuba and the danger which exists that the population will make an attempt to accomplish a revolution. This must be well known to the Spanish Government. In order to convince him of the good faith and friendship toward Spain with which this Government has acted, you might read to him the first part of my dispatch to General Campbell and the order issued by the Secretary of War to the commanding general in Mexico and to the officer having charge of the embarkation of our troops at Vera Cruz. You may then touch delicately upon the danger that Spain may lose Cuba by a revolution in the island, or that it may be wrested from her by Great Britain, should a rupture take place between the two countries, arising out of the dismissal of Sir Henry Bulwer, and be retained to pay the Spanish debt due to the British bondholders. You might assure him that while this Government is entirely satisfied that Cuba shall remain under the dominion of Spain, we should in any event resist its acquisition by any other nation. And, finally, you might inform him that, under all these circumstances, the President had arrived at the conclusion that Spain might be willing to transfer the island to the United States for a fair and full consideration. You might cite as a precedent the cession of Louisiana to this country by Napoleon, under somewhat similar circumstances, when he was at the zenith of his power and glory. I have merely presented these topics in their natural order, and you can fill up the outline from the information communicated in this dispatch, as well as from your own knowledge of the subject. Should the minister for foreign affairs lend a favorable ear to your proposition, then the question of the consideration to be paid would arise, and you

have been furnished with information in this dispatch which will enable you to discuss that question.

The President would be willing to stipulate for the payment of \$100,000,000. This, however, is the maximum price; and if Spain should be willing to sell, you will use your best efforts to purchase it at a rate as much below that sum as practicable. In case you should be able to conclude a treaty, you may adopt as your model, so far as the same may be applicable, the two conventions of April 30, 1803, between France and the United States, for the sale and purchase of Louisiana. The seventh and eighth articles of the first of these conventions ought, if possible, to be omitted; still, if this should be indispensable to the accomplishment of the object, articles similar to them may be retained.

Mr. Everett, in his celebrated letter of December 1, 1852, to the Comte de Sartiges, rejecting the joint proposition of the French and British Governments for a tripartite convention with the United States, disclaiming, severally and collectively, all intention to obtain possession of the Island of Cuba, and respectively binding themselves to discountenance all attempts to that effect on the part of any power or individuals whatever, said:

Spain, meantime, has retained of her extensive dominions in this hemisphere but the two islands of Cuba and Puerto Rico. A respectful sympathy with the fortunes of an ancient ally and a gallant people, with whom the United States have ever maintained the most friendly relations, would, if no other reason existed, make it our duty to leave her in the undisturbed possession of this little remnant of her mighty transatlantic empire. The President desires to do so. No word or deed of his will ever question her title or shake her possession. But can it be expected to last very long? Can it resist this mighty current in the fortunes of the world? Is it desirable that it should do so? Can it be for the interest of Spain to cling to a possession that can only be maintained by a garrison of twenty-five or thirty thousand troops, a powerful naval force, and an annual expenditure for both arms of the service of at least \$12,000,000? Cuba at this moment costs more to Spain than the entire naval and military establishment of the United States costs the Federal Government. So far from being really injured by the loss of this island, there is no doubt that, were it peacefully transferred to the United States, a prosperous commerce between Cuba and Spain, resulting from ancient associations and common language and tastes, would be far more productive than the best contrived system of colonial taxation. Such, notoriously, has been the result to Great Britain of the establishment of the independence of the United States. The decline of Spain from the position which she held in the time of Charles V is coeval with the foundation of her colonial system, while within twenty-five years, and since the loss of most of her colonies, she has entered upon a course of rapid improvement unknown since the abdication of that Emperor.

Mr. Marcy, in his dispatch of July 23, 1853, to Mr. Pierre Soulé says:

SIR: There are circumstances in the affairs of Spain, having a connection with this country, which give unusual importance at this time to the mission to that Government. The proximity of her remaining possessions in this hemisphere—the islands of Cuba and Puerto Rico—to the United States, the present condition of the former, and the rumors of contemplated changes in its internal affairs, complicate our relations with Spain. The Island of Cuba, on account of its magnitude, situation, fine climate, and rich productions, far superior in all respects to any in the West India group, is a very desirable possession to Spain, and, for the same reasons, very difficult for her to retain in its present state of dependence. The opinion generally prevails among the European nations that the Spanish dominion over it is insecure. This was clearly evinced by the alacrity with which both England and France, on occasion of the late disturbances in Cuba, volunteered their aid to sustain the Spanish rule over it, and by their recent proposition to the United States for a tripartite convention to guarantee its possession to Spain. Without an essential change in her present policy, such a change as she will most likely be unwilling to make, she can not, it is confidently believed, long sustain, unaided, her present connection with that island.

What will be its destiny after it shall cease to be a dependency of Spain is a question with which some of the principal powers of Europe have seen fit to concern themselves, and in which the United States have a deep and direct interest.

I had occasion recently, in preparing instructions for our minister to London, to present the views of the President in relation to the interference of Great Britain, as well as of France, in " " Cuban affairs. To spare myself the labor of again

going over the same ground, I herewith furnish you with an extract from those instructions.

The policy of the Government of the United States in regard to Cuba, in any contingency calling for our interposition, will depend in a great degree upon the peculiar circumstances of the case, and can not, therefore, now be presented with much precision beyond what is indicated in the instructions before referred to. Nothing will be done on our part to disturb its present connection with Spain, unless the character of that connection should be so changed as to affect our present or prospective security. While the United States would resist, at every hazard, the transference of Cuba to any European nation, they would exceedingly regret to see Spain resorting to any power for assistance to uphold her rule over it. Such a dependence on foreign aid would, in effect, invest the auxiliary with the character of a protector, and give it a pretext to interfere in our affairs, and also generally in those of the North American continent. In case of collision with the United States, such protecting power would be in a condition to make nearly the same use of that island to annoy us as it could do if it were the absolute possessor of it.

Our minister at Madrid, during the Administration of President Polk, was instructed to ascertain if Spain was disposed to transfer Cuba to the United States for a liberal pecuniary consideration. I do not understand, however, that it was at that time the policy of this Government to acquire that island unless its inhabitants were very generally disposed to concur in the transfer. Under certain conditions the United States might be willing to purchase it; but it is scarcely expected that you will find Spain, should you attempt to ascertain her views upon the subject, at all inclined to enter into such a negotiation. There is reason to believe that she is under obligations to Great Britain and France not to transfer this island to the United States. Were there nothing else to justify this belief but the promptness with which these two powers sent their naval forces to her aid in the late Cuban disturbances, the proposition for a tripartite convention to guarantee Cuba to Spain, and, what is more significant than either of the above facts, the sort of joint protest by England and France, to which I adverted in my instructions to Mr. Buchanan, against some of the views presented in Mr. Everett's letter of the 2d of December last to Mr. Sartiges, the French minister, would alone be satisfactory proof of such an arrangement. Independent of any embarrassment of this nature, there are many other reasons for believing that Spain will pertinaciously hold on to Cuba, and that the separation, whenever it takes place, will be the work of violence.

From these and other extracts that might be presented it is manifest that the ultimate acquisition of Cuba has long been regarded as the fixed policy of the United States—necessary to the progressive development of our system. All agree that the end is not only desirable, but inevitable. The only difference of opinion is as to the time, mode, and conditions of obtaining it.

The law of our national existence is growth. We can not, if we would, disobey it. While we should do nothing to stimulate it unnaturally, we should be careful not to impose upon ourselves a regimen so strict as to prevent its healthful development. The tendency of the age is the expansion of the great powers of the world. England, France, and Russia all demonstrate the existence of this pervading principle. Their growth, it is true, only operates by the absorption, partial or total, of weaker parties—generally of inferior races. So long as this extension of territory is the result of geographical position, a higher civilization, and greater aptitude for government, and is not pursued in a direction to endanger our safety or impede our progress, we have neither the right nor the disposition to find fault with it. Let England pursue her march of conquest and annexation in India, France extend her dominions on the southern shores of the Mediterranean and advance her frontiers to the Rhine, or Russia subjugate her barbarous neighbors in Asia; we shall look upon their progress, if not with favor, at least with indifference. We claim on this hemisphere the same privilege that they exercise on the other—

*"Hanc veniam petimusque damusque vicissim."*

— In this they are but obeying the laws of their organization. When they cease to grow, they will soon commence that period of decadence which is the fate of all nations as of individual man.

The question of the annexation of Cuba to the United States, we repeat, is a question but of time. The fruit that was not ripe when John Quincy Adams penned his dispatch to Mr. Forsyth (it has not yet been severed by violence from its native tree, as he anticipated) is now mature. Shall it be plucked by a friendly hand, prepared to compensate its proprietor with a princely guerdon, or shall it fall decaying to the ground?

As Spain can not long maintain her grasp on this distant colony, there are but three possible alternatives in the future of Cuba: First, possession by one of the great European powers. This we have declared to be incompatible with our safety, and have announced to the world that any attempt to consummate it will be resisted by all the means in our power. When first we made this declaration we were comparatively feeble. The struggle would have been fearful and unequal; but we were prepared to make it at whatever hazard. That declaration has often been repeated since. With a population nearly tripled, our financial resources and our means, offensive and defensive, increased in an infinitely larger proportion, we can not now shrink from an issue that all were then ready to meet.

The second alternative is the independence of the island. This independence could only be nominal; it could never be maintained in fact. It would eventually fall under some protectorate, open or disguised. If under ours, annexation would soon follow as certainly as the shadow follows the substance. An European protectorate could not be tolerated. The closet philanthropists of England and France would, as the price of their protection, insist upon introducing their schemes of emancipation. Civil and servile war would soon follow, and Cuba would present, as Haiti now does, no traces of its former prosperity, but the ruins of its once noble mansions. Its uncontrolled possession by either France or England would be less dangerous and offensive to our Southern States than a pretended independent black empire or republic.

The third and last alternative is annexation to the United States. How and when is this to be effected? By conquest or negotiation? Conquest, even without the hostile interference of another European power than Spain, would be expensive, but with such interference would probably involve the whole civilized world in war, entail upon us the interruption, if not the loss, of our foreign trade, and an expenditure far exceeding any sum which it has ever been contemplated to offer for the purchase of Cuba. It would, besides, in all probability, lead to servile insurrection, and to the great injury or even total destruction of the industry of the island. Purchase, then, by negotiation seems to be the only practicable course; and, in the opinion of the committee, that can not be attempted with any reasonable prospect of success, unless the President be furnished with the means which he has suggested in his annual message, and which the bill proposes to give him.

Much has been said of the danger of confiding such powers to the Executive, and from the fierceness with which the proposition has been denounced it might be supposed that it was without precedent. So far is this from being the case, that we have three different acts upon the statute book placing large sums of money at the disposition of the President for the purpose of aiding him in negotiations for the acquisition of territory. The first is the act of February 26, 1803. Although its object was well known, viz, to be used in negotiating for the purchase of Louisiana, the act does not indicate it. It placed \$2,000,000 unservedly at the disposition of the President for the purpose of defraying

any "extraordinary expense which may be incurred in the intercourse between the United States and foreign nations." Second. The act of February 13, 1806, using precisely the same phraseology, appropriates \$2,000,000, it being understood that it was to be used in negotiating for the purchase of Florida.

The act of March 3, 1847, "making further appropriation to bring the existing war with Mexico to a speedy and honorable conclusion," has been adopted as the model on which the present bill is framed. Its preamble states that—

Whereas, in the adjustment of so many complicated questions as now exist between the two countries, it may possibly happen that an expenditure of money will be called for by the stipulations of any treaty which may be entered into, therefore the sum of \$3,000,000 be, and the same is hereby, appropriated, to enable the President to conclude a treaty of peace, limits, and boundaries, with the Republic of Mexico; to be used by him in the event said treaty, when signed by the authorized agents of the two Governments and duly ratified by Mexico, shall call for the expenditure of the same, or any part thereof.

The bill now reported appropriates, under the same conditions, \$30,000,000 to make a treaty with Spain for the purchase of the Island of Cuba.

It will be perceived that this bill defines strictly the object to which the amount appropriated shall be applied, and in this respect allows a much narrower range of discretion to the present Executive than the acts of 1803 and 1806 gave to Mr. Jefferson. In those cases the object of the appropriation was as well known to the country and to the world as if it had been specifically stated. The knowledge of that fact did not then in the slightest degree tend to defeat the intended object, nor can it do so now. Under our form of Government we have no state secrets. With us diplomacy has ceased to be enveloped with the mysteries that of yore were considered inseparable from its successful exercise. Directness in our policy and frankness in its avowal are, in conducting our foreign intercourse, not less essential to the maintenance of our national character and the permanent interests of the Republic than are the same qualities to social position and the advancement of honest enterprise in private life.

Much has been said of the indelicacy of this mode of proceeding; that the offer to purchase will offend the Spanish pride, be regarded as an insult, and rejected with contempt; that, instead of promoting a consummation that all admit to be desirable, it will have the opposite tendency. If this were true, it would be a conclusive argument against the bill, but a brief consideration will show the fallacy of these views. For many years our desire to purchase Cuba has been known to the world.

Seven years since President Fillmore communicated to Congress the instructions to our ministers on that subject, with all the correspondence connected with it. In that correspondence will be found three letters from Mr. Saunders, detailing conversations held with Narvaez and the minister of foreign relations, in which he notified them of his authority to treat for the purchase of Cuba, and while the reply was so decided as to preclude him from making any direct proposition, yet no intimation was given that the suggestion was offensive. And why should it be so? We simply say to Spain, "You have a distant possession, held by a precarious tenure, which is almost indispensable to us for the protection of our commerce, and may, from its peculiar position, the character of its population, and the mode in which it is governed, lead at any time to a rupture which both nations would deprecate. This possession, rich though it be in all the elements of wealth, yields to your



treasury a net revenue not amounting, on the average of a series of years, to the hundredth part of the price we are prepared to give you for it. True, you have heretofore refused to consider our proposition, but circumstances are changing daily. What may not have suited you in 1848 may now be more acceptable. Should a war break out in Europe, Spain can scarcely hope to escape being involved in it. The people of Cuba naturally desire to have a voice in the government of the island. They may seize the occasion to proclaim their independence, and you may regret not having accepted the rich indemnity we offer."

But even these arguments will not be pressed upon unwilling ears. Our minister will not broach the subject until he shall have good reason to believe that it will be favorably entertained. Such an opportunity may occur when least expected. Spain is the country of coups d'état and pronunciamientos. The all-powerful minister of to-day may be a fugitive to-morrow. With the forms of a representative government, it is in fact a despotism sustained by the bayonet—a despotism tempered only by frequent, violent, and bloody revolutions. Her financial condition is one of extreme embarrassment; a crisis may arise when even the dynasty may be overthrown unless a large sum of money can be raised forthwith. Spain will be in the position of the needy possessor of land he can not cultivate, having all the pride of one to whom it has descended through a long line of ancestry, but his necessities are stronger than his will—he must have money. A thrifty neighbor, whose domains it will round off, is at hand to furnish it. He retains the old mansion, but sells what will relieve him from immediate ruin.

The President, in his annual message, has told us that we should not, if we could, acquire Cuba by any other means than honorable negotiation, unless circumstances which he does not anticipate render a departure from such a course justifiable, under the imperative and overruling law of self-preservation. He also tells us that he desires to renew the negotiations, and it may become indispensable to success that he should be intrusted with the means for making an advance to the Spanish Government immediately after the signing of the treaty, without awaiting the ratification of it by the Senate. This, in point of fact, is an appeal to Congress for an expression of its opinion on the propriety of renewing the negotiation. Should we fail to give him the means which may be indispensable to success, it may well be considered by the President as an intimation that we do not desire the acquisition of the island.

It has been asserted that the people of Cuba do not desire a transfer to the United States. If this were so, it would present a very serious objection to the measure. The evidence on which it is based is that on receipt of the President's message addresses were made by the municipal authorities of Habana and other towns protesting their devotion to the Crown and their hostility to the institutions of the United States. Anyone who has had an opportunity of observing the persuasive influence of the bayonet in countries where it rules supreme will know how much value to attach to such demonstrations of popular sentiment. There can be no doubt that an immense majority of the people of Cuba are not only in favor, but ardently desirous of annexation to the United States. It would be strange, indeed, if they were not so. Deprived of all influence, even in the local affairs of the island; unrepresented in the Cortes; governed by successive hordes of hungry officials sent from the mother country to acquire fortunes to be enjoyed at home, having no sympathy with the people among whom they are mere sojourners and upon whom they look down as inferiors; liable to be arrested at any

moment on the most trifling charges; tried by military courts or submissive judges, removable at pleasure; punished at the discretion of the Captain-General, they would be less than men if they were contented with their yoke. But we have the best authority, from the most reliable sources, for asserting that nearly the entire native population of Cuba desires annexation.

Apprehensions have been expressed by some Southern statesmen of perils resulting from the different elements composing the population, and the supposed mixture of races. They are not justified by the facts. The entire population, by the census of 1850, was 1,247,230, of which 605,560 were whites, 205,570 free colored, and 436,100 slaves.

Allowing the same annual percentage of increase for each class as shown by comparison with the previous census, the total population now is about 1,586,000, of which 742,000 are whites, 263,000 free colored, and 581,000 slaves. There is good reason to suppose that the slaves considerably exceed the estimated number, it having been, until very recently, the interest of the proprietor to understate it. The feeling of caste or race is as marked in Cuba as in the United States. The white creole is as free from all taint of African blood as the descendant of the Goth on the plains of Castile. There is a numerous white peasantry, brave, robust, sober, and honest, not yet, perhaps, prepared intelligently to discharge all the duties of the citizen of a free republic, but who, from his organization, physical and mental, is capable of being elevated by culture to the same level with the educated Cubans, who, as a class, are as refined, well informed, and fitted for self-government as men of any class of any nation can be who have not inhaled with their breath the atmosphere of freedom.

Many of them, accompanied by their families, are to be met with every summer at our cities and watering places, observing and appreciating the working of our form of government and its marvelous results; many seeking until the arrival of more auspicious days an asylum from the oppression that has driven them from their homes; while hundreds of their youths in our schools and colleges are acquiring our language and fitting themselves hereafter, it is to be hoped at no distant day, to play a distinguished part in their own legislative halls or in the councils of the nation.

These men, who are the great proprietors of the soil, are opposed to the continuance of the African slave trade, which is carried on by Spaniards from the Peninsula, renegade Americans, and other adventurers from every clime and country, tolerated and protected by the authorities of Cuba of every grade.

Were there a sincere desire to arrest the slave trade, it could be as effectually put down by Spain as it has been by Brazil. Cuba and Puerto Rico are now the only marts for this illegal traffic; and if the British Government had been as intent upon enforcing its treaty stipulations with Spain for its abolition as it has been in denouncing abuses of our flag, which we can not entirely prevent, this question would long since have ceased to be a source of irritating discussion—it may be of possible future difficulty. Those who desire to extirpate the slave trade may find in their sympathy for the African a motive to support this bill.

We have, since the conclusion of the Ashburton treaty in 1842, kept up a squadron on the coast of Africa for the suppression of the slave trade, and we are still bound to continue it. The annual cost of this squadron is at least \$800,000. The cost in seventeen years amounts to \$13,600,000, and this, too, with results absolutely insignificant. It appears from a report of a select committee of the British House of

Commons, made in March, 1850, that the number of slaves exported from Africa had sunk down in 1842 (the very year in which the Ashburton treaty was concluded) to nearly 30,000. In 1843 it rose to 55,000. In 1846 it was 76,000. In 1847 it was 84,000, and was then in a state of unusual activity. Sir Charles Hotham, one of the most distinguished officers of the British navy, and who commanded on the coast of Africa for several years, was examined by that select committee. He said that the force under his command was in a high state of discipline; that his views were carried out by his officers to his entire satisfaction; that, so far from having succeeded in stopping the slave trade, he had not even crippled it to the extent of giving it a permanent check; that the slave trade had been regulated by the commercial demand for slaves, and had been little affected by the presence of his squadron, and that experience had proven the system of repression by cruisers on the coast of Africa futile—this, too, when the British squadron counted 27 vessels, comprising several steamers, carrying about 300 guns and 3,000 men. The annual expense of the squadron is about \$3,500,000, with auxiliary establishments on the coast costing at least \$1,500,000 more—a total cost annually of \$5,000,000 in pursuance of a system which experience has proved to be futile.

In 1847 the Brazilian slave trade was in full activity. It has been entirely suppressed for several years. The slaves now shipped from the coast of Africa are exclusively for the Spanish islands. It is not easy to estimate the number. From the best data, however, it is supposed now to be from twenty five to thirty thousand per year. It would cease to exist the moment we acquire possession of the Island of Cuba.

The importation of slaves into the United States was prohibited in 1808. Since then, a period of more than fifty years, but one case has occurred of its violation—that of the *Wanderer*, which has recently excited so much attention.

Another consequence which should equally enlist the sympathies of philanthropists, excepting that class whose tears are only shed for those of ebon hue, and who turn with indifference from the sufferings of men of any other complexion, is the suppression of the infamous coolie traffic—a traffic so much the more nefarious as the Chinese is elevated above the African in the scale of creation; more civilized, more intellectual, and therefore feeling more acutely the shackles of the slave ship and the harsh discipline of the overseer. The number of Chinese shipped for Cuba since the commencement of the traffic up to March last is 28,777, of whom 4,134 perished on the passage. From that date up to the close of the year the number landed at Habana was 9,419. We blush to say that three-fourths of the number were transported under the American and British flags—under the flags of the two countries that have been the most zealous for the suppression of the African slave trade. The ratio of mortality on the passage was 14½ per cent, and a much larger proportion of these wretched beings were landed in an enfeebled condition. Coming, too, from a temperate climate, they are not capable of enduring the exposure to the tropical sun, in which the African delights to bask. When their allotted time of service shall have been completed, the small remnant of the survivors will furnish conclusive evidence of the barbarity with which they are treated. The master feels no interest in his temporary slave beyond that of extracting from him the greatest possible amount of labor during the continuance of his servitude. His death or incapacity to labor at the end of his term is to the master a matter of as much indifference as is the fate of the operative employed in his mill to the Manchester spinner.

Another effect of this measure, which will recommend it most strongly to the humanitarians, will be the better treatment and increased happiness of the slaves now existing in the island that would inevitably flow from it. As a general rule the slave is well treated in proportion to his productiveness and convertible value, as an expensive instrument is more carefully handled than one of less cost. When the importation of slaves from abroad is arrested, the home production affords the only means of supplying the increasing demand for labor. It may be assumed as an axiom of political economy that the increase of population, if not the only true test, is the most reliable of the average well-being of the class to which it is applied. Tried by this test, the slave of the United States affords a very high standard as compared even with the white population of our favored land. But when comparison is made with the statistics of African slavery in all European colonies the results are startling. Since Las Casas, in his zeal for the protection of the Indian, originated the African slave trade, it is estimated that the whole number transported to the New World has been about 8,375,000. Of these, we, in our colonial condition, and since, have only received about 375,000. By natural increase, after deducting all who are free, we had, in 1850, 3,204,000 slaves of the African race. These, allowing the same percentage of increase for nine years, as the census returns show during the last decennial period, would now number over 4,300,000; while, from the same data, the free colored population would amount to 496,000. The British West India colonies received about 1,700,000. The whole population of those islands, including Jamaica and Trinidad, acquired from the Spaniards, and British Guiana, black, white, and mixed, is but 1,062,639. The Spanish and other West India Islands received about 3,000,000. This is very much more than their entire population to-day. The proportion may vary in some of the colonies, but the general result will be found everywhere the same—a very much less number now existing of African descent, either pure or mixed, than have been imported from Africa.

There is another aspect in which this proposition may be viewed which is deserving of serious consideration. It is forcibly put in the President's annual message that the multiplied aggressions upon the persons and property of our citizens by the local authorities of Cuba for many years past present, in the person of the Captain-General, the anomaly of absolute power to inflict injury without any corresponding faculty to redress it. He can, almost in sight of our shores, confiscate, without just cause, the property of an American citizen or incarcerate his person; but if applied to for redress we are told that he can not act without consulting his royal mistress at Madrid. There we are informed that it is necessary to await the return of a report of the case which is to be obtained from Cuba, and many years elapse before it is ripe for decision. These delays in most instances amount to an absolute denial of justice. And even when the obligation of indemnity is admitted, the state of the treasury or a change of ministry is pleaded as an excuse for withholding payment. This would long since have justified us in resorting to measures of reprisal that would have necessarily led to war and ultimately resulted in the conquest of the island. Indeed, such is the acute sense of those wrongs prevailing among our people that nothing but our rigid neutrality laws, which, so long as they remain unrepealed or unmodified, a Chief Magistrate, acting under the sanction of his official oath to see that the laws be faithfully executed, is bound to enforce, has prevented the success of organized individual enterprises that would long ere this have revolutionized the

island. It is in part, probably, for this cause that the President has recommended the policy which this bill embodies, and the world can not fail to recognize in its adoption by Congress a determination to maintain him in his efforts to preserve untarnished our national character for justice and fair dealing.

The effect of the acquisition of Cuba will be no less beneficial in its commercial than in its political and moral aspects. The length of the island is about 770 miles, with an average breadth of about 40 miles, comprising an area of 31,468 square miles. The soil is fertile, climate genial, and its ports the finest in the world. Habana is more familiarly known to us, for apart from our extensive trade, which employs several hundred American vessels, thousands of our citizens have touched at that port in our steamers on their way to California or New Orleans. They have all carried away with them vivid recollections of its magnificent harbor, and have breathed ardent prayers that their next visit should be hailed by the Stars and Stripes floating from the Morro. And yet Cuba can boast of several other harbors equally safe and more extensive than that of Habana.

In 1855 the importations, by official custom-house returns, were \$31,216,000, the exports \$34,803,000. As duties are levied on exports as well as imports, there can be no exaggeration in these returns, and the real amount is undoubtedly considerably larger.

When we consider that more than two-thirds of the whole area of the island is susceptible of culture, and that not a tenth part of it is now cultivated, we may form some idea of the immense development which would be given to its industry by a change from a system of monopoly and despotism to free trade and free institutions. Whatever may be the enhanced cost of production, caused by the increased value of labor, it will be nearly if not quite compensated by the removal of export duties, and of those levied on articles produced in the United States, which are now by unjust discrimination virtually excluded from consumption. It is not possible within the limits which your committee have prescribed to themselves for this report to cite more than a few of the most important. Of flour, on an average of three years, from 1848 to 1850, there were imported from the United States 5,642 barrels, paying a duty of \$10.81 per barrel. From other countries, and it is believed exclusively from Spain, 228,002 barrels, paying a duty of \$2.52 per barrel, a discrimination against our flour of nearly 200 per cent on its present average value in our markets. On lard, of which the importation from the United States was 10,168,000 pounds, a duty is levied of \$4 per quintal, while of olive oil 8,481,000 pounds were imported, which is chiefly used as its substitute, paying a duty of 87 cents per quintal. Of beef, dry and jerked, but 339,161 pounds were imported from the United States, paying a duty of \$1.96 per quintal, while the importation from other quarters, principally from Buenos Ayres, was 30,544,000 pounds, paying a duty of \$1.17, the difference being, in fact, a protection of the Spanish flag, which thus enjoys a monopoly of this branch of trade.

To-day, with its increased population and wealth, it is fair to presume that, were Cuba annexed to the United States, with the stimulus afforded by low prices, her annual consumption of our flour would be 600,000 barrels; of our lard, 25,000,000 pounds; of our beef, 20,000,000, and of pork, the most solid and nutritious food for the laborer, 10,000,000 pounds. The same ratio of increase would be exhibited in our whole lists of exports. Many articles that now appear not at all or in very limited quantities would force their way into general consumption.

The Spanish flag, deprived of the advantage of discriminating duties of tonnage and impost, would soon abandon a competition which it could not sustain on equal terms, and the whole carrying trade, foreign and domestic, would fall into the hands of our enterprising merchants and shipowners, but chiefly those of the Northern and Middle States, while the farmer of the West would have a new and constantly increasing market open to him for the products of the soil. With all the disadvantages under which we now labor, the American vessels entering the port of Habana alone last year numbered 958, with a tonnage of 403,479. To what figure will this be extended when ours shall be the national flag of Cuba?

The cultivation of sugar is the chief basis of the wealth and prosperity of Cuba. The average annual production, exclusive of what is consumed on the island, is about 400,000 tons; that of Louisiana about 175,000 tons. The whole amount of cane sugar, from which Europe and the United States are supplied, is estimated at 1,273,000 tons. Of this, Cuba and Louisiana now furnish somewhat more than 45 per cent. Is it extravagant to predict that, with Cuba annexed, we should in a few years have as complete control of this great staple—which has long since ceased to be a luxury and become almost a necessity of life—as we now have of cotton?

There is one other consideration, of minor importance when compared with the vast political interests involved in the question of acquisition; it is that of cost. Ten years past, as appears from the published correspondence, our minister at Madrid was authorized to offer \$100,000,000 as the extreme price for the purchase of Cuba. If that was its value then, something may be added to it now. Assuming it to be twenty-five millions more, the annual interest, without reference to the probable premium which would be realized from a loan bearing 5 per cent interest, would be \$6,250,000. Of the imposts of \$31,216,000 in 1856, your committee have not before them the means of ascertaining the proportion coming from the United States. From the summary of *Balanzas Generales* from 1848 to 1854, in the report of *Commercial Relations*, volume 1, page 187, it may, however, be fairly assumed to be somewhat more than one-fourth, or about \$8,000,000. This proportion would doubtless be largely increased. Admitting it to be \$16,216,000, it would leave a balance of \$15,000,000 on which duties could be levied. Under our present tariff the average rate of duties is about 18½ per cent; but as the articles on our free list are of very limited consumption in Cuba, the average there would be at least 20 per cent. This would yield a revenue from customs of \$3,000,000. But under the stimulus of free trade and free institutions, with the removal of many burdens from the consumer, it would necessarily be greatly and speedily augmented. It would be a moderate calculation to say that in two years it would reach \$4,000,000. On the other hand, it may be said that our expenditure would be largely increased. Such is not the opinion of your committee. On the contrary, it is believed that from the greater security of our foreign relations, resulting from the settlement of this long-agitated and disturbing question, our naval expenditure might be safely reduced, while no addition to our military establishment would be required. It has already been shown that an annual saving of \$800,000 may be effected by withdrawing the African Squadron when its services will no longer be necessary. Thus our expenditure for the interest on the debt incurred by the acquisition would be credited by \$4,800,000, leaving an annual balance of but \$1,425,000 to the debit of the purchase. Is this sum to be weighed in

the balance with the advantages, political and commercial, which would result from it? Your committee think that it should not.

A few words on the wealth and resources of Cuba, and your committee will close this report, which has swollen to dimensions not incommensurate with the importance of the subject, but which, it may be feared, will, under the pressure of other business during this short session, be considered as unduly trespassing on the attention of the Senate. The amount of taxes that can be levied upon any people without paralyzing their industry and arresting their material progress is the experimentum crucis of the fertility of the land they inhabit. Tried by this test, Cuba will favorably compare with any country on either side of the Atlantic.

Your committee have before them the last Cuban budget, which presents the actual receipts and expenditures for one year, with the estimates for the same for the next six months. The income derived from direct taxes, customs, monopolies, lotteries, etc., is \$16,303,950. The expenses are \$16,299,663. This equilibrium of the budget is accounted for by the fact that the surplus revenue is remitted to Spain. It figures under the head of "Atenciones de la Peninsula," and amounts to \$1,404,059, and is the only direct pecuniary advantage Spain derives from the possession of Cuba, and even this sum very much exceeds the average net revenue remitted from that island, all the expenses of the army and navy employed at or near Cuba being paid by the island. The disbursements are those of the general administration of the island, those of Habana and other cities being provided for by special imposts and taxes.

It may be moderately estimated that the personal exactions of Spanish officials amount to \$5,000,000 per annum, thus increasing the expenses of the Government of Cuba, apart from those which with us would be considered as county or municipal, to the enormous sum of \$21,300,000, or about \$13.50 per head for the whole population of the island, free and slave. Under this system of government and this excessive taxation the population has, for a series of years, steadily increased at the mean rate of 3 per cent per annum, about equal to that of the United States.

Since the reference of the bill to the committee, the President, in response to a resolution of the Senate requesting him, if not incompatible with the public interest, to communicate to the Senate any and all correspondence between the Government of the United States and the Government of Her Catholic Majesty relating to any proposition for the purchase of the Island of Cuba, which correspondence has not been furnished to either House of Congress, informs us that no such correspondence has taken place which has not already been communicated to Congress. He takes occasion to repeat what he said in his annual message, that it is highly important, if not indispensable to the success of any negotiation for the purchase, that the measure should receive the previous sanction of Congress.

This emphatic reiteration of his previous recommendation throws upon Congress the responsibility of failure if withheld. Indeed, the inference is sufficiently clear that, without some expression of opinion by Congress, the President will not feel justified in renewing negotiations.

The committee beg leave to append hereto various tables concerning statistical details of matters treated of in this report.

All of which is respectfully submitted.

## RECOGNITION OF CUBAN INDEPENDENCE.

No. 1.—*Commerce of the Island of Cuba with foreign nations for the years 1852, 1853, and 1854, made up from the "general balances."*

[From Ex. Doc. No. 107, first session Thirty-fourth Congress, Commercial Relations of the United States.]

Country.	1852.		1853.		1854.	
	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.
Spain .....	\$10,200,429	\$3,892,634	\$7,756,905	\$3,298,671	\$9,057,428	\$3,615,692
United States .....	6,552,585	12,076,408	6,799,732	12,131,095	7,867,680	11,641,813
England .....	5,638,824	5,486,677	6,195,921	8,322,195	6,610,909	11,119,526
France .....	2,203,354	1,513,368	2,177,222	3,293,399	2,558,198	1,921,567
Germany .....	1,102,002	1,690,165	1,115,940	1,474,018	1,420,649	1,824,074
Belgium .....	493,908	321,200	908,511	486,806	635,866	811,880
Spanish America .....	2,144,618	801,100	1,677,476	514,831	2,145,370	671,380
Portugal-Brazil .....					16,245	14,186
Holland .....	243,386	297,152	88,876	246,661	194,390	251,482
Denmark .....	657,554	864,366	485,422	403,085	538,824	300,949
Russia .....		483,218		283,688		
Sweden-Norway .....	27,783	15,489	47,756	16,309	14,076	23,604
Austria .....		241,458		138,036		168,453
Italy .....	82,309	380,586	60,022	651,275	24,082	313,779
Deposit .....	483,486		377,011		310,865	
Total .....	29,780,242	27,453,936	27,789,800	31,210,405	31,394,578	32,683,731
Add for Prussia .....						5,256

No. 2.—*Statement of the aggregate of revenue and expenditure of the Island of Cuba.*

## REVENUE.

Section 1.—Contributions and imports .....	\$1,026,833.69
Section 2.—Customs .....	9,407,878.87
Section 3.—Taxes and monopolies .....	1,069,795.44
Section 4.—Lotteries .....	* 6,719,200.00
Section 5.—State property .....	119,285.94
Section 6.—Contingencies .....	595,928.94
Total .....	21,338,928.86

Deduct for sums paid as portions of the forfeitures under seizures .....

12,972.88

Actual total .....

21,325,956.00

EXPENDITURE.

Section 1.—Grace and justice .....	\$712,755.00
Section 2.—War .....	5,806,538.36
Section 3.—Exchequer .....	7,645,145.43
Section 4.—Ordinary expenses .....	2,306,634.16
Extraordinary expenses .....	1,190,700.37
Section 5.—Executive department .....	2,115,833.12
Section 6.—Attentions (remittances) of the peninsula .....	1,404,059.00
Total .....	21,321,665.44

\* From this sum should be deducted \$5,022,000, which figures among the expenditures of the exchequer under the Government guaranty of prizes in the lotteries, and which is included in the sum of \$7,645,145.43 set down as expended by that department. This leaves a net revenue from that source of \$1,697,200, and a total net revenue of \$16,105,956.



No. 3.—Comparative statement of the number of seagoing vessels entering the port of Habana for the years named.

	American.		Spanish.		English.		French.		Other nations.		Aggregate of each month.	
	No.	Ton-nage.	No.	Ton-nage.	No.	Ton-nage.	No.	Ton-nage.	No.	Ton-nage.	No.	Ton-nage.
1858.												
January	101	44,162	54	10,808	13	6,256	1	1,050	14	3,845	183	66,116
February	79	37,567	29	5,996	22	9,976	3	1,635	13	3,710	146	58,681
March	781	44,402	32	7,022	11	4,884	5	3,948	9	2,756	158	63,012
April	102	42,492	66	13,521	21	9,347	2	1,238	21	6,053	212	72,653
May	102	42,359	81	18,161	15	5,940	3	1,176	10	3,085	211	71,521
June	69	29,856	65	14,895	11	5,184	2	709	13	4,371	160	54,996
July	54	20,409	67	15,058	10	4,181	1	336	12	4,817	144	44,751
August	48	20,768	33	10,256	11	5,324	1	293	10	3,928	103	40,575
September	60	21,067	18	4,626	10	5,443	2	1,056	12	3,371	102	35,587
October	78	35,540	36	12,976	15	7,500	2	748	10	3,323	161	60,047
November	69	30,333	66	17,729	7	4,052	3	853	15	3,390	160	56,340
December	95	23,825	86	19,182	15	6,096	1	614	12	3,782	209	55,493
Total for 1858.	958	392,572	653	151,027	161	74,127	25	12,662	79	46,432	1,940	679,816
Total for 1857	909	406,873	684	153,651	152	64,110	67	28,760	141	42,972	1,953	696,366
1856	863	384,752	652	150,534	131	59,013	62	20,133	132	38,993	1,815	602,426
1855	889	379,327	527	120,881	116	49,963	122	31,522	113	29,402	1,717	613,155
1854	903	336,968	571	111,825	122	59,556	69	18,790	127	30,027	1,782	557,186
1853	812	304,138	513	111,020	136	58,424	93	20,877	122	35,030	1,717	527,402
1852	750	308,120	578	114,318	143	55,427	52	12,538	124	29,782	1,647	520,196
1851	856	344,046	550	114,210	191	58,308	47	11,124	156	40,789	1,807	568,493
1850	654	298,299	541	107,230	164	65,136	51	12,466	152	40,837	1,542	423,466

No. 4.—Table of the total production of sugar, consumption, etc.

	Tons.
Cane sugar	2,057,653
Palm sugar	100,000
Beet-root sugar	164,822
Maple sugar	20,247
Total	2,342,722

But the quantity of sugar from which the United States, England, Europe, and the Mediterranean are to be supplied reaches only 1,273,000 tons. Thus, for the 300,000,000 souls who are dependent on it, it gives but 8 pounds per head, while the consumption in England is triple that quantity and in the United States 20 pounds per head. The use of sugar in the world is rapidly increasing. In France it has doubled in thirty years. It has increased more than 50 per cent in England in fifteen years. In the Zollverein it has quadrupled. The following table will show the imports and production of sugar in Great Britain, France, and the United States during many years:

Consumption of sugar in Great Britain, France, and United States.

Year.	Sugar duty paid in France.				Great Britain.	United States.			Average amount.
	Colonial.	Foreign.	Beet root.	Total.		Foreign.	Louisiana.	Total.	
	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Tons.	Per cent.
1841	74,515	12,042	27,162	114,719	203,200	65,601	38,000	103,606	49.52
1842	77,443	8,210	35,070	110,723	193,823	69,474	39,240	108,714	45.42
1843	79,453	9,685	29,155	118,215	204,016	28,454	64,360	93,214	42.30
1844	87,362	10,269	32,075	129,626	206,000	81,801	44,400	128,208	41.82
1845	90,958	11,542	35,142	137,642	242,831	98,336	45,000	133,336	40.40
1846	78,632	15,182	46,845	140,662	261,032	44,974	83,028	128,002	41.85
1847	87,826	9,628	52,399	149,821	290,275	98,410	71,010	169,450	34.95
1848	48,371	9,540	48,103	106,014	309,424	104,214	107,000	211,214	29.40
1849	63,335	18,979	43,793	126,107	299,041	103,121	99,180	202,801	31.00
1850	50,996	23,862	67,207	142,155	310,391	84,813	110,600	194,413	32.22
1851		74,969			329,715	190,193	102,000	292,193	32.32
1852	32,030	14,882	67,445	114,357	360,720	228,772	118,273	347,045	28.00
1853	32,641	15,044	67,120	115,045	380,488	212,213	160,967	373,180	30.72
1854	40,113	18,943	85,825	144,981	475,005	227,082	224,662	452,644	.....
1855	45,373	49,822	62,902	148,097	381,214	216,042	173,317	410,259	.....
1856	46,767	16,456	93,103	156,320	397,448	272,611	115,713	388,344	.....
1857	42,466	26,689	*132,600	200,153	367,476	388,501	36,933	425,434	.....

\* To close of February.

The production of beet-root sugar in France was for four years as follows:

	Number working.	Kilos.
1854.....	303	77,848,208
1855.....	208	50,180,864
1856.....	275	91,003,098
1857.....	341	132,990,998

The figures for 1857 are only to March 1, and exceed by 54,000,000 kilograms the product of last year. The production in the Zollverein in 1855 was as follows:

	Cwt.
Prussia.....	14,099,263
Anhalt.....	2,301,364
Bavaria.....	247,126
Saxony.....	131,968
Wurtemberg.....	603,256
Baden.....	988,825
Hesse.....	59,137
Huringen.....	122,965
Brunswick.....	634,496

giving a total of 19,188,402. The increase in the consumption is immense. In 1841 the total for the three countries above named was 420,000 tons. This has increased to 800,000 tons, or a quantity nearly doubled, and the supply has come from Louisiana and from beet roots. The former failed considerably in the last two years, and, as a consequence, nearly convulsed the world. The value of sugar in the open market, then, seems to depend upon the precarious crop of Louisiana, since, when that fails, the prices rise all over the world.—(United States Economist.)

No. 5.—Table of number of Chinese shipped from China from 1847 to March 23, 1858.

The following table, derived from a reliable source, exhibits the total number of vessels that have arrived at this port since 1847 with Asiatics, their flags, tonnage, number of Asiatics shipped and landed, number and percentage of deaths, etc., which I think will not be deemed uninteresting:

Flags of vessels.	Number.	Tonnage.	Asiatics, number shipped.	Landed.	Deaths.	Percentage of deaths.
American.....	18	13,545	6,744	5,929	815	13
British.....	29	21,275	10,791	9,205	1,586	14
Dutch.....	8	5,003	2,773	2,463	310	11
French.....	7	6,037	3,655	3,154	501	13
Spanish.....	6	2,038	1,779	1,489	290	11
Portuguese.....	3	1,246	1,049	1,021	28	3
Peruvian.....	8	2,484	1,814	812	502	38
Bremen.....	1	560	249	236	13	5
Norwegian.....	1	470	221	179	42	19
Chilean.....	1	250	202	155	47	23
Total.....	71	53,008	28,777	24,643	4,184	14

From the foregoing it will be seen that the loss of life on the total number shipped actually amounts to 14½ per cent; and while the number of deaths of those brought hither in Portuguese ships amounts to only 2½ per cent, the number brought in American ships amounts to 12 per cent, in British ships to 14½ per cent, and in French ships to 13½ per cent, while in Peruvian ships the number of deaths amounts to 38½ per cent.

No. 6.—*Population of the West Indies, as stated in Colton's Atlas of the World, volume I.*

<b>Haiti:</b>		
Haitian Empire.....	572,000	
Dominican Republic.....	136,000	
Cuba (alaves, 330,425).....	1,009,000	
Puerto Rico.....	447,914	
<b>French islands:</b>		
Guadalupe and dependencies.....	154,975	
Martinique.....	121,478	
French Guiana.....	23,110	
St. Bartholomew.....	9,000	
<b>Danish islands:</b>		
St. Thomas.....	13,606	
Santa Cruz.....	23,720	
St. John.....	2,228	
		39,633
Dutch islands—Curaçao, etc.....		26,497
Dutch Guiana.....		61,080
<b>British islands:</b>		
Bahamas.....	27,519	
Turks Island.....	4,428	
Jamaica *.....	377,433	
Caymans.....	1,780	
Trinidad *.....	68,645	
Tobago.....	13,208	
Grenada.....	32,671	
St. Vincent.....	80,128	
Barbados.....	135,939	
St. Lucia.....	24,516	
Dominica.....	22,061	
Montserrat.....	7,653	
Antigua.....	37,757	
St. Christopher.....	23,177	
Nevis.....	9,601	
Barbuda.....	1,707	
Anguilla.....	3,052	
Virgin Islands.....	6,690	
British Guiana.....	127,005	
		963,630
<b>Total.....</b>		<b>3,575,876</b>

\* Acquired from Spain.

## APPENDIX No. 2.

### SPEECH OF HON. J. P. BENJAMIN, OF LOUISIANA, ON THE ACQUISITION OF CUBA.

[Delivered in the Senate of the United States, Friday, February 11, 1850.]

\* \* \* \* \*

I have thus far spoken, sir, of the beneficial results to humanity arising from the acquisition of Cuba, in the double aspect of the preservation of the island from a lapse into the barbarism and savage state of the other Antilles, and of regard for its miserable laboring population. What would be its effects on the superior race—on the white natives of the island, now numbering nearly three-quarters of a million?

In spite of pro forma petitions, recently forwarded from Habana, under the orders of the captain-general, the ardent aspirations of the Cubans for release from the grinding tyranny under which they languish are too well known for concealment. I will not appeal to a knowledge personal to us all; I will not rely on the fact that amongst the numerous Cubans with whom I have had opportunity of conversing on the subject I never yet have found one—no, not one—who did not pant for the hour of freedom, who was not ready to strike for his liberty if the remotest prospect of succor could be held out to him. I will appeal to history, and leave its teachings to the appreciation of a candid world. My sketch must be rapid.

At the close of the last and the commencement of the present century Cuba was prosperous and happy. Subjected to a colonial system identical with that then generally prevalent among civilized nations, if her commerce was restricted by the monopoly established in favor of the mother country, her own internal administration was conducted by wise rulers, guided by paternal interest in her welfare. She shared the political benefits conquered by the Spanish people, and when the constitution of 1812 was established, Cuba reaped its advantages. When, on the death of Ferdinand VII, Queen Christina threw herself into the arms of the liberal party in order to insure the triumph of Queen Isabella over the pretensions of Don Carlos, the royal statute was proclaimed in both Spain and Cuba, and the latter was represented in the national congress and enjoyed the liberties accorded by that celebrated document to the mother country. Under its provisions, the Junta de Fomento was established in Habana, with branches in all the principal cities of the island. When, in 1836, the revolution of La Granja placed the party of the Progresistas in power, subverted the royal statutes, and proclaimed the old constitution of 1812, the Queen Mother, then Regent, in convoking the Cortes, included the deputies from Cuba in the call.

In the meantime, however, the example of the other Spanish-American colonies which had succeeded in establishing their independence had not been without its effects on Cuba. In 1825 the liberator, Bolívar, offered to aid the patriots by an invasion of the island. Numerous

societies were formed under the title of the "Soles de Bolivar," and everything was prepared for seconding the invasion, which might very possibly have proved successful but for the intervention of our own Government, which dissuaded the invasion. (See letters of Mr. Clay to the ministers of Colombia and Mexico, December 20, 1825.) The knowledge of this effervescence of the public mind induced, on the part of the Spanish King, one of the most extraordinary acts which ever emanated from a despot. He gave the Captain-General, by an ordinance of the 28th of May, 1825, all the powers granted to the governors of besieged towns; or, in other words, declared the whole island under martial law, with full power in the Captain-General over the lives, fortunes, and liberties of the people, and with the right of suspending all laws and royal decrees at his pleasure.

This would appear scarcely credible, but I desire to read a passage from this ordinance of 1825 of the Spanish King. I find it fortunately translated here in a little book called *Cuba and the Cubans*, which I would recommend to the perusal of gentlemen who may desire some additional facts in relation to the condition of the island:

On the 28th of May, 1825, the royal ordinance addressed to the Captain-General of Cuba declares: "It has pleased His Majesty, in conformity with the advice of his ministers, to authorize your excellency, fully investing you with the whole extent of power which by royal ordinances is granted to the governors of besieged towns; in consequence thereof His Majesty most amply and unrestrictedly authorizes your excellency not only to remove from the island such persons holding office from the Government or not, whatever their occupation, work, class, or situation in life may be, whose residence there you may believe to be prejudicial, or whose public or private conduct may appear suspicious to you, employing in their stead faithful servants of His Majesty. Also to suspend the execution of whatever royal orders or general decrees in all the different branches of the administration, or in any part of them, as your excellency may think conducive to the royal service."

We are told that under this system of government the whites are contented. Why, sir, independent of the conspiracies of which I have spoken, in 1823-24 and 1825, again in 1826, another conspiracy broke out, and its chiefs were arrested, and Sanchez and Aguerro were executed at Port au Prince; and again, at a later day, the conspiracy called the conspiracy of the Black Eagle broke out and was again repressed, and those engaged in it executed or exiled or imprisoned. The different conspiracies that have existed of late years are familiar to us all; the various expeditions of Lopez and his companions; and the last of which I have any memory, or, at least, authentic detail, is that of 1851, when a few Cuban patriots, worn-out, disappointed fugitives, still had courage to meet together on the 4th of July, 1851, and declared the independence of Cuba. Here is their declaration of independence. I am going to refer to this, not so much for the purpose of showing this fact, not so much for the purpose of calling attention to the signatures, including names of this same family of Aguerro, that seems to have distinguished itself in behalf of the liberties of its country, but because there is a list of grievances in this declaration of independence to which I now desire to call the attention of the Senate, and which I will lay before it, asking every man who hears it, if it be possible that human beings subjected to grievances like these can be content, can be willing to kiss the rod which smites them?

They begin, sir, by stating the horrible cruelties that are exercised upon them. It is in Spanish; I will read it as well as I can; it will be probably somewhat imperfect in the translation.

They state that "they supposed the world would refuse credence to the history of the horrible iniquities which have been perpetrated in Cuba, and would consider, with reason, perhaps, that if there existed

monsters capable of committing them, it is not conceivable that there should exist men who for so long a time had submitted to them; but if those persons are few who reach the truth of particular facts, by reason of the means of which the Government disposes to obscure and disfigure them, nobody can resist the evidence of acts that are public and official."

Therefore, they go on to relate:

It was publicly, and with arms in his hands, that General Tacon despoiled the Island of Cuba of the constitution of Spain, proclaimed by all the powers of the Monarchy and which these powers had ordered to be sworn to as the fundamental law of the entire Monarchy.

It was publicly, and by the acts of the courts, that Cuba was declared to be deprived of the rights which all Spaniards enjoyed, and which are naturally conceded to persons the least civilized.

It was publicly that the decree was issued which deprived the sons of Cuba of all right of being chosen to occupy public offices or of employment in the State.

It was publicly that omni-modal faculties were granted to the Captains-General of Cuba, who may deny to those whom they desire to have punished or sentenced by the tribunals even the form of a trial before the courts.

Publicly prominent in the Island of Cuba are still those military commissions which in other countries the law permits only in extraordinary cases during a time of war, and then only for offenses against the State.

Publicly has the Spanish press threatened Cuba with tearing from it the property in its slaves, of converting the island into ruin and ashes, and of disenchanting against it all the hordes of barbarous Africans which now exist within it.

Public is the continual increase of the army and the creation of new mercenary bodies which, under pretext of public security, are only put upon us for the purpose of augmenting the burdens that lie upon Cuba and of exercising with greater vexation the system of subordination and espionage over its inhabitants.

Public are the obstacles and difficulties which are placed in the way of each individual for moving, for exercising any industry, nobody being sure that he will not be seized and fined, by reason of some defect of authorization or want of license at every step that he makes in the island.

Public are the contributions which are exhausting the Island of Cuba and the projects of other contributions which are threatened and which are to absorb all the products of its riches, there remaining nothing to its miserable inhabitants but the pain of labor.

Public are the exactions of all kinds which inferior officers impose on its inhabitants, with the greatest disregard to the opinion of mankind.

I return now, sir, to the year 1836, when the Cuban deputies were convoked to the meeting of the constituent Cortes at Madrid. The Cortes assembled in 1837, but the Cuban deputies were not admitted to their seats. Cuba was deprived of her representation; nor was this the only outrage inflicted on her rights. It was decided that she should be governed in the future by exceptional laws, and not by the laws common to the rest of the monarchy. These special laws were never passed; but the royal ordinance has continued in force to the present hour, maintaining martial law, and Cuba has thus remained ever since a helpless victim, subject to the despotic control of a single man, the extent of whose powers can only be described by the word invented to express them—*omni-moda*, of all kinds.

Ever since this monstrous system has been adopted Cuba has not been blessed with one hour of peace. Constantly repeated have been her efforts to shake off the yoke under which they groan, but all in vain. Twenty thousand bayonets on the land and a powerful fleet off its coasts keep the dread watch of the tyrant and suppress the first symptoms of revolt. The whites have been disarmed, and 4 companies of colored men have been added to each of the 16 regiments of peninsular troops stationed on the island, thus holding before the unfortunate inhabitants the constant threat of a war of races, a renewal of the horrors of Santo Domingo. Their pride of race has been shocked by a governor's decree

authorizing marriages between the two races, except when one of the parties is a noble.

The army is maintained solely by a rigorous isolation, all communication between the inhabitants and troops being interdicted. No security for life, person, or liberty against the caprice of a despot; no arms for self-defense, the size of a walking stick even being limited to dimensions small enough to pass through a ring furnished the policeman.

The Cubans have not even the idea of a trial by jury. Cases are tried before the judges of royal appointment, the venal favorites of the Spanish court, who are speedily removed to make room for more hungry aspirants. The Captain-General, himself a mere soldier, presides by law over the supreme court of justice. All offices, with the exception of a few of the lowest order, are in the hands of Spaniards. The penalty for carrying weapons of any description is six years' hard labor in the chain gangs of the penal colonies of Africa. The Cuban can not have company at home without a permit, for which he must pay \$2.50, and he must be provided with a license, at the same cost, if he is to absent himself from town or from his home in the country. Neither can he change his domicile without notifying the police, obtaining a permit, and paying for the same. He can not lodge any person, whether foreigner or native, stranger, friend, or relative, in his house without previous notice to the police. Mayors of cities are not elected by the people, but by the aldermen of the common councils and under the dictation of the Spanish governors. These aldermen serve for life, and their offices are either inherited or purchased from the Crown at public auction for prices varying according to the perquisites thereof. Thus it happens that even they who should be the immediate guardians of the people often become speculators, who, far from extending them protection, extort the full interest of the capital invested in the purchase of their offices. No affidavit is required in Cuba, but a suspicion or a secret denunciation is sufficient to tear a man from the bosom of his family at any hour of the day or night, throw him into a dungeon, there to linger for weeks or months, if it so please the authorities, and then to set him free with the bare acknowledgment of his innocence, or send him to transatlantic exile, if, though innocent, he still remains suspicious.

Such is the sad, the dreadful condition of the unfortunate islanders who are represented by the official press as hastening to lay at the feet of the Queen ardent professions of loyalty to her Government and attachment to her person. They have again and again made heavy sacrifices for freedom—nay, at this very moment, and for years past, they maintain, by secret contributions, for gratuitous circulation, public journals in the United States, repeating their constant appeal to our sympathies.

The whole of the recent wrongs committed, Mr. President, in relation to the arming of the blacks, and other similar outrages, were committed under the instigation of Great Britain, and Lord Palmerston did not blush to acknowledge his guilt in the face of the civilized world. I have here his dispatch, in which, in answer to the remonstrance of the inhabitants of the island, communicated to him through the correspondence of the Spanish minister, he replied to the effect that it was true that the measures he was recommending might not be suitable for the whites, but that they were exceedingly beneficial to the blacks—an actual recommendation to the Spanish Government to trample the white native Cuban under foot for the benefit of the Africans that had been imported in defiance of the treaties with Great Britain herself. Here is Lord Palmerston's dispatch of September 11, 1851, and it is capable of that signification alone:

With reference to that passage in M. Miraflores's note, in which he states that the Spanish Government can not understand how Her Majesty's Government can seriously recommend a measure which would prove very injurious to the natives of Cuba, when they also recommend that the Spanish Government should conciliate the affections of those Cubans, I have to instruct your lordship to observe to M. de Miraflores that the slaves of Cuba form a large portion, and by no means an unimportant one, of the population of Cuba, and that any steps taken to provide for their emancipation would therefore, as far as the black population are concerned, be quite in unison with

the recommendation made by Her Majesty's Government; that measures should be adopted for contenting the people of Cuba, with a view to secure the connection between that island and the Spanish Crown; and it must be evident that if the negro population of Cuba were rendered free that fact would create a most powerful element of resistance to any scheme for annexing Cuba to the United States, where slavery still exists.

There it is, sir. It is the white population that is to be trampled under the feet of the blacks, and such blacks as now exist in Jamaica; it is this white population that is represented in the face of the Senate and the country as desirous of continuing subjects of the rule under which they now groan.

Sir, it is very easy to say: "If the people of Cuba desire emancipation from this tyranny, why do they not rise in arms?" And we are pointed to our own condition when our forefathers resisted the tyranny of the British Crown. How unfair to them! How delusive the comparison! We were 3,000,000 men. We had the right of speech, the liberty of the press. We could assemble, combine, prepare. We could arm. We had a right to buy arms and to wear them. When Patrick Henry was urging the Virginia assembly to the declaration of American independence, his cry was that three millions of men in arms could not be vanquished by any power that our enemy could send against us. But how is the case of the miserable Cubans? Had we, as they have, a foreign army in our midst—an army composed of soldiers whose fidelity to the mother country is only secured by the system already mentioned, of strict isolation, of absolute interdiction from any communication with the inhabitants of the island—had we such a force as that among us, and, backed by the bayonets of the black race, threatening an exterminating war of races? No, sir; there is no fairness, no justice, in the reproach.

I must waive, Mr. President, all discussion of the effects that the acquisition of this island would have on the industrial, agricultural, and commercial interests of our country, these points having been already treated very satisfactorily by gentlemen who have already spoken.

I shall not even speak of its geographical position, commanding, as it does, a commerce which, before all that are now within sound of my voice shall have disappeared from the earth, will reach \$1,500,000,000. Still I must call attention to the fact that it seems hitherto to have been taken for granted that this country is exposed to no risk so long as this island remains within the feeble grasp of Spain. I apprehend this is a mistake, and a very grave mistake. It is a grave mistake for several reasons: First, because those harbors, being the most capacious and the best fortified in the Gulf, offer a secure rendezvous, in case of difficulties with other foreign powers, for collecting fleets and navies with which our own unprotected coasts could be attacked; secondly, because Spain is not now an independent nation.

I deny her independence in the true sense of the word. Spain has bartered away her sovereignty in Cuba, effectually bartered it away to Great Britain. She did not yield to motives of policy or of philanthropy in abolishing the slave trade. There was a time when Spanish dignity was not insulted by the offer to buy something from her, and her pride was not touched when Great Britain paid her £400,000 for giving up the slave trade. Again and again has the Spanish nation been twitted upon the floor of the British Parliament with having cheated Great Britain by taking the money and then countenancing the traffic. It is under the controlling influence of Great Britain that Spanish pride has been so far humiliated that a mixed commission sat in the Island of Cuba; that British subjects in the town of Habana try Spanish subjects in their own colonies for breaches of the treaty, and that England had a hulk, a prison ship belonging to herself, lying in



the harbor of Habana, to enforce the edicts of British judges over Spanish colonists; and yet we are told that this is an independent nation, whose pride and dignity will revolt at the bare proposal for a cession of sovereignty over the island.

The safety of our country is further involved in the acquisition of Cuba, or at least in her independence; because her harbors not only furnish points of rendezvous for hostile fleets, but secure harbors of refuge in which they could refit and repair, and prepare themselves for fresh attacks on our unprotected coasts. It was those harbors that afforded refuge for the British fleet after its descent on New Orleans, and in them did the French fleet refit after its bombardment of the castle of San Juan d'Uloa. In the event of a rupture with Great Britain, which many gentlemen around me seem to suppose inevitable in no very distant future, Cuba would be, in her possession, a tremendous point of vantage for attack; and little would she reck of any opposition by Spain to her use of it for her own purposes in a moment of emergency. It is for this reason that the instincts of the American people have already taught them that we shall ever be insecure against hostile attack until this important geographical and military position is placed under our protection and control.

This being the relation borne to us by Cuba, the President has proposed that Congress shall give expression to the national sentiment by sanctioning a proposition to Spain for the purchase of the island. Why should we not do it?

First, we are told that it is an offense to the dignity of Spain to make the offer of purchase. To that, reply has been made so often and so victoriously that it is hardly necessary to repeat it. We have only to say that of all the colonies that Spain ever possessed on this continent none remain but the islands of Cuba and Puerto Rico, and, I believe, some small islands adjacent not worth naming; and that, of all she has lost, everything has been torn from her by violence, with the exception of Florida, that we bought, and Louisiana, that France bought. If it was no offense for France to purchase Louisiana and no offense for us to purchase Florida, it is a little too late to say that it is an offense to her dignity for us to propose the purchase of Cuba. And, sir, I can not understand the dignity and sense of honor of a country that sells to the people of Great Britain for a sum of money an agreement to abandon the slave trade, and under that treaty gives to Great Britain power to hold courts in her own territory, judging her own subjects; and then turns upon us and, on the bare indication of a desire to purchase, tells us that she considers herself insulted by the proposition. I am afraid she will have to be insulted; I am afraid the proposition will have to be made. This insult was offered to her dignity a good many years ago in relation to this same island, first by Great Britain and afterwards by us, and this is the first time we have ever heard of her being insulted by the offer.

But, sir, we are told that England and France will object. If that be true, it affords to my mind a controlling motive for persisting. I wish to examine a little into this subject of the interference of England and France; and first I desire the attention of the Senate to a fact which has not yet been adverted to in this debate—that as far back as 1823 Great Britain tried to buy Cuba from Spain, and made her offers of purchase, which were rejected; that then in 1825 and 1826 Great Britain was at the bottom of the plot for declaring Cuba independent, by an insurrection of the people, with the aid of the Colombian and Mexican forces, her object being to get the control of the island under

a protectorate, which she thought she could establish without exciting our jealousy; and that it was these views of Great Britain which induced the interference of Mr. Clay with the Colombian and Mexican ministers, and this broke up the plot. July 10, 1823, Mr. Appleton, being then at Cadiz, wrote to Mr. Adams, our Secretary of State:

The contents of the letter of which I herewith inclose a duplicate are substantially confirmed by all that has come to my knowledge since it was written. I shall say nothing of the official declaration of England; they are documents which must long since have reached you. I have it, however, in my power to say, upon the best authority, that the sentiments she now professes in relation to acquisition of territory at the expense of Spain have not always been entertained by her.

Mr. Quadra, now deputy of the Cortes, had, when minister of ultramarine in 1820, distant overtures made to him for the cession of the eastern side of Cuba to England. These overtures were treated with great coldness, and it is supposed to have not been repeated. This fact has been communicated to me in confidence by Mr. Genet, a deputy from the Habana, who, being a European by birth, has had more access to the secrets of the cabinet than his companions, and has lately received a distinguished proof of the respect in which he is held in being called on to preside over the Cortes during an epoch of particular difficulty.

In 1827, Mr. Everett, then in Madrid, sent to Mr. Clay the following dispatch:

MADRID, August 17, 1827.

SIR: The inclosed copy of a confidential dispatch addressed to the minister of state by the Conde de la Alcedia, Spanish minister at London, was handed to me to-day by a private friend, and may be depended on as authentic. As the communication was made to me in the strictest confidence, and as the document is in itself unsuitable for the press, I take the liberty of transmitting it to you, for the President's information, in the form of a private letter, and request that it may not be placed on the public files of the Department of State.

Here is the letter:

[Translation.]

*The Spanish minister at London to the minister of state.*

LONDON, June 1, 1827.

MOST EXCELLENT SIR: I deem it my duty to give you notice for the information of the King, our Lord, that this Government dispatched a frigate sometime ago to the Canary Islands, with commissioners on board, who were instructed to ascertain whether any preparations were making there for an expedition to America; and also the state of defense of those islands, and the disposition of the inhabitants. The result of these inquiries was that the said islands were in a wholly defenseless situation, provided with few troops, and those disaffected and ready for any innovation.

The frigate then proceeded to the Habana, where the commissioners found many persons disposed to revolt; but in consequence of the large military force stationed there and the strength of the fortifications, they considered it impossible to take possession of the island without the cooperation of the authorities and the army. In consequence of the information thus obtained, measures have been taken in both these islands to prepare the public opinion by means of emissaries in favor of England, to the end that the inhabitants may be brought to declare themselves independent and to solicit the protection of the British. The latter are prepared to assist them, and will in this way avoid any collision with the United States. The whole operation has been undertaken and is to be conducted in concert with the revolutionists resident here (at London) and in the islands who have designated a Spanish general, now at this place, to take command of the Habana when the occasion shall require it.

The Duke of Wellington communicated to me the above information, which is also confirmed by an intimation which he gave to Brig. Gen. Don Francisco Armentecos, when this officer took leave of him to go to the Habana. The Duke then advised him, if he should discover any symptoms of disaffection in the authorities, to give immediate notice to the King, as it would be a grievous thing for His Majesty to lose the Habana.

I have thought it my duty to make these circumstances known to your excellency. May God keep you many years.

EL CONDE DE LA ALCEDIA.

This is the same Great Britain that now, having failed in her own attempt, generously proposes to the American people an alliance of three parties—France, England, and the United States—each of whom shall say, as they are bound to do in her estimate under the law of nations, that not one of them will ever acquire Cuba. Having failed herself, both by open negotiation and secret maneuver, to obtain possession of the island, she proposes to us magnanimously to renounce what she can not get, provided we will be equally generous; for such, after all, was the real proposition made in the dispatch to which Mr. Everett made his celebrated answer; and when we respectfully declined her proposal, we were informed through another dispatch that she held herself at liberty to act as she pleased for the future; and the British secretary actually proceeded, with a grave face, to argue that England had equal interests with ourselves in the Island of Cuba, because, in a geographical line, Cuba was no nearer to the United States than to the Island of Jamaica—that delectable paradise of her negro savages.

So much, sir, as regards any objections that may be made by England.

But France, we are told, will be offended; her sense of justice will be shocked at our violation of national courtesy in desiring to acquire a neighboring isle. The reproach will come with a good grace, sir, from the present Emperor of the French, who was so particularly regardful of public law when at Bologne and at Strasburg he attempted to overthrow the constitutional Government of his own country for the purpose of acquiring that power which he has since shown was desired only for the gratification of his own selfish ambition. We are to be called on to renounce all rights of national growth in deference, forsooth, to France and England. We alone are not to grow; and the reason is that we declare our purpose in advance, which gives to these intermeddling powers an opportunity of raising an outcry; whereas in the secrecy of their cabinets projects of invasion are entertained and executed before notice is given; and, when reproached for their breaches of national law, the world is coolly informed in diplomatic jargon that the outrage is *un fait accompli*.

Mr. President, I trust that if the voice of England is raised on this question, the first, the prompt, the peremptory answer to be given will be to ask her to give an account of her seizure of the Bay Islands in defiance of her treaty with us; to call for her title to control the Nicaragua transit; and when she has made good in the law of nations that new title invented by Lord Clarendon, and which he calls "spontaneous settlement," then, and not till then, we shall be ready on our part to give her a reason why we want "spontaneous settlement" in Cuba.

If, sir, on the other hand, the Emperor of France shall make objection, let him be asked by what right he attempts to interfere with us in the purchase of territory from Spain, when we are only following the example of his uncle, who did the same thing? Let him be asked what greater right France had to buy Louisiana than we have to buy Cuba? And, sir, let both France and England be required to show by what principle of national law territorial acquisition is forbidden when peaceful and for a price, but permissible if effected by the exercise of violence committed by the strong against the weak.

Mr. President, there is one paramount principle affecting the whole question of annexation, which our self-respect requires us to present prominently before the world. It is that in the expansion of our system we seek no conquest, subjugate no people, impose our laws on no

unwilling subjects. When new territory is brought under our jurisdiction, the inhabitants are admitted to all the rights of self-government. Let no attempt be made to confuse this subject by the use of inappropriate terms. It is the fallacy lurking under the use of the word "belongs," of which despots make use. Cuba "belongs" to Spain. True, but in what sense? New York "belongs" to the United States also, but in what sense?

Cuba is subject to Spanish sovereignty. Her people now owe allegiance to Spain; but the island does not belong to Spain as property belongs to an individual. The Cubans are not the property of the Crown. Nay, the soil of the island belongs to private proprietors. The right of Spain, as a proprietary right, extends only to the public places on the island not disposed of to private individuals, and to such revenues as she can lawfully and legitimately exact from her subjects. But, sir, from the date of our independence we have had fixed principles on the subject of the true proprietorship of countries. The fundamental theory of our Government is that the people of all countries are the true and only owners, that governments are established for their benefit, and that whenever governments become subversive of the true ends of their institution it is the right of the people to alter and abolish them. The Island of Cuba belongs not to Queen Isabella, but to the people who inhabit it, and who alone have the right to decide under what government they choose to live.

Now, Mr. President, bringing this discourse to a close, I desire to say, in a few words, what my view is in relation to the policy of this country. I would propose, as the President proposes, the purchase of the Island of Cuba from the Government of Spain. If that be refused, if it be supposed that Spanish pride or Spanish dignity is involved in the proposition to such an extent as to make it impossible for them to cede it, I would then say to Spain: "If you will not cede the island to us, grant independence to your subjects there, and we will pay you a reasonable equivalent for the abandonment of your revenues, and make settlement hereafter with the people of Cuba for our advances."

If this offer be again refused, then let us announce to Spain in advance that whenever opportunity shall occur, we are ready and resolute to offer to the people of Cuba the same aid that England offered to the other Spanish colonies; the same alliance, offensive and defensive, which France so nobly tendered to us in the hour of our darkest peril. Tell her that we shall repair the wrong by us done to the generation now passing away in Cuba when we impeded their efforts for gaining their independence by affording to the present generation our aid, countenance, and assistance. Tell her that when the Cubans shall have conquered their independence, theirs shall be the right of remaining a separate republic, if they so prefer; that we will cherish, aid, and protect them from all foreign interference, and will draw close the bonds of a mutual, social, and commercial intercourse that shall be of incalculable benefit to both. Tell her, too, that if the people of the island, with their independence once acquired and republican institutions established, shall desire to unite themselves with us, they shall be admitted to the equal benefits which our system of government secures to each independent State that enters into its charmed circle. She shall unite with us freely, the equal associate of free States; and when the union shall have been accomplished, the sword of the nation shall smite down any rude hand that shall attempt to sunder those whom the God of Freedom has united.

## APPENDIX No. 3.

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### CUBA'S CASE.

WASHINGTON, *December 7, 1895.*

SIR: I hand you herewith a statement of the facts upon which I, as authorized representative of the Cubans in arms, ask that the rights of belligerency be accorded them by your Government.

If you so desire I can exhibit to you the originals of the documents mentioned or set forth in said statement.

Should it be necessary or desirable for me to point out the arguments, based on the facts submitted, which I deem proof that we are now in condition to ask for belligerency, it will afford me great pleasure to do so.

Begging your earliest and most favorable consideration of this subject, I have the honor to remain, very respectfully, yours,

T. ESTRADA PALMA.

To HON. RICHARD OLNEY,  
*Secretary of State of the United States of America,  
Washington, D. C.*

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WASHINGTON, D. C., *December 7, 1895.*

SIR: While admitting that, as a rule, governments do not take cognizance of the justice or injustice of a struggle in which they are called upon to grant the rights of belligerency to one of the contending parties, the revolution for the independence of the Cuban people, initiated on February 24 last, is so similar in its character to that which resulted in the establishment of the foremost Republic in the world, the United States of America, that I feel called upon to point out the causes leading to the present uprising in Cuba.

#### CAUSES OF THE REVOLUTION.

These causes are substantially the same as those of the former revolution, lasting from 1868 to 1878 and terminating only on the representation of the Spanish Government that Cuba would be granted such reforms as would remove the grounds of complaint on the part of the Cuban people. Unfortunately the hopes thus held out have never been realized. The representation which was to be given the Cubans has proved to be absolutely without character; taxes have been levied anew on everything conceivable; the offices in the island have increased, but the officers are all Spaniards; the native Cubans have been left with no public duties whatsoever to perform, except the payment of taxes to the Government and blackmail to the officials, without privilege even to move from place to place in the island except on the permission of governmental authority.

Spain has framed laws so that the natives have substantially been deprived of the right of suffrage. The taxes levied have been almost

entirely devoted to support the army and navy in Cuba, to pay interest on the debt that Spain has saddled on the island, and to pay the salaries of the vast number of Spanish officeholders, devoting only \$746,000 for internal improvements out of the \$26,000,000 collected by tax. No public schools are within reach of the masses for their education. All the principal industries of the island are hampered by excessive imposts. Her commerce with every country but Spain has been crippled in every possible manner, as can readily be seen by the frequent protests of shipowners and merchants.

The Cubans have no security of person or property. The judiciary are instruments of the military authorities. Trial by military tribunals can be ordered at any time at the will of the Captain-General. There is, beside, no freedom of speech, press, or religion. In point of fact, the causes of the Revolution of 1775 in this country were not nearly as grave as those that have driven the Cuban people to the various insurrections which culminated in the present revolution.

A statement of the facts and circumstances that have forced the Cubans from peaceful to belligerent measures of obtaining that redress which they are satisfied can only come with absolute independence and republican form of government are set forth at large in the pamphlet hereto annexed, marked "A."

#### ABSOLUTE INDEPENDENCE OR EXTERMINATION.

Every promise of reform made to procure peace in 1878 having been broken by the Spanish Government, and subsequent peaceful endeavor in that direction having proved useless, Cuba is to-day in the condition described by Vattel (Law of Nations, sec. 291):

If his (the sovereign's) promises are not inviolable, the rebels will have no security in treating with him; when they have once drawn the sword they must throw away the scabbard, as one of the ancients expressed it, and the prince destitute of the more gentle and salutary means of appeasing the revolt will have no other remaining expedient than of utterly exterminating the insurgents; these will become formidable through despair; compassion will bestow success on them; their party will increase, and the state will be in danger.

The only solution of the revolution in Cuba is independence or extermination.

#### PRELIMINARY ORGANIZATION FOR REVOLT.

Years before the outbreak of the present hostilities the people within and without the island began to organize, with a view of preparing for the inevitable revolution, being satisfied, after repeated and patient endeavors, that peaceful petition was fruitless.

In order that the movement should be strong from the beginning, and organized both as to civil and military administration, the Cuban Revolutionary party was founded, with José Martí at its head. The principal objects were by united efforts to obtain the absolute independence of Cuba, to promote the sympathy of other countries, to collect funds with these objects in view, and to invest them in munitions of war. The military organization of this movement was completed by the election of Maximo Gomez as commander in chief. This election was made by the principal officers who fought in the last revolution.

#### THE UPRISING.

The time for the uprising was fixed at the solicitation of the people in Cuba, who protested that there was no hope of autonomy, and that their deposits of arms and ammunition were in danger of being discovered and their leaders arrested. A large amount of war material was

then bought by Marti and vessels chartered to transport it to Cuba, where arrangements were made for its reception in the provinces of Santiago, Puerto Principe, and Santa Clara; but at Fernandina, Fla., it was seized by the United States authorities. Efforts were successfully made for the restitution of this material; nevertheless valuable time and opportunity was thus lost. The people in Cuba clamored for the revolution to proceed immediately, and in consequence the uprising was not further postponed. The date fixed for the uprising was the 24th of February. The people responded in Santiago, Santa Clara, and Matanzas. The provinces of Puerto Principe and Pinar del Rio did not respond, owing to lack of arms. In Puerto Principe rigorous search had previous to the 24th been instituted and all arms and ammunition confiscated by the Government. The leaders in the provinces of Matanzas and Santa Clara were imprisoned, and so the movement there was checked for the time being.

On the 27th the Governor-General of the Island of Cuba, Emilio Calleja, issued a proclamation declaring the provinces of Matanzas and Santiago in a state of siege, and fixed a period of eight days within which all those who surrendered were to be pardoned. Under these conditions, on the 3d of March, Juan Gualberto Gomez surrendered, was brought to Havana, and set at liberty, but before he could leave the palace of the Captain-General was rearrested on the ground that he had bought arms for the movement, and was subsequently court-martialed and sent in chains to the Spanish penal colony in Ceuta, Africa.

#### GROWTH OF THE REVOLUTION.

In the province of Santiago the revolution rapidly increased in strength under the leadership of Bartolome Masso, one of the most influential and respected citizens of Manzanillo; Guillermo Moncada, Jesus Rabi, Pedro Perez, José Miro, and others.

It was characterized by the Spanish Government as a negro and bandit movement, but many of the most distinguished and wealthy white citizens of the district flocked to the insurgent camp.

The Spanish authorities, through some of the Autonomists, attempted to persuade these men to lay down their arms. Gen. Bartolome Masso was twice approached in this behalf, but positively refused to entertain any negotiations which were not based on the absolute independence of Cuba.

On the 1st of April, Generals Antonio and José Maceo, Flor Crombet, and Agustin Cebreco, all veteran leaders in the former revolt, landed at Duaba, in the province of Santiago, and thousands rose to join them. Antonio Maceo then took command of the troops in that province, and on the 11th of April a detachment received Generals Maximo Gomez, José Marti, Francisco Borrero, and Angel Guerra.

Captain-General Calleja was, on the 16th of April, succeeded by Gen. Arsenio Martinez Campos, the present commander in chief of the Spanish forces, who has the reputation of being Spain's greatest living general.

#### BATTLES AND CAMPAIGN.

Campos's first plan of campaign was to confine the revolution to the province of Santiago, and he then stated that he would crush the insurgents, establish peace, and return to Spain by the November following.

He asserted that the province of Puerto Principe would never rise in rebellion; and in order to give color to the statement and hope of

labor to the unemployed, he projected a line of railway from Santa Cruz to Puerto Principe, planning also another from Manzanillo to Bayamo.

These two projects, as well as the proposed construction of wharves, were never seriously contemplated. From the very beginning of the uprising, conflicts between the Spanish troops and the Cubans were of daily occurrence, and many engagements of importance also took place, forts being captured, towns taken and raided.

It is of course useless to describe every skirmish in this province; the following are among the most important operations:

Los Negros, where General Rabi defeated the Spanish colonels Santoscildes and Zubikoski; Ramon de las Yaguas, where Colonel Garzon surprised and captured Lieutenant Gallego and 50 men, who were disarmed and permitted to leave unmolested—the troops sent to reinforce the Spaniards being also defeated; El Guanabano, where General Masso and Colonel Estrada forced Santoscildes to retreat to Bayamo, with great loss; Jarahuca, where General Maceo defeated General Salcedo, who had more than 3,000 men under him.

Combined operation of Generals Antonio and José Maceo, who captured the town of Cristo and 200 rifles and 40,000 rounds, while Colonel Garzon took the town of Caney, and Colonel Planas attacked a military convoy on the railroad.

The town of Campechuela was attacked by Colonel Guerra and Colonel Estrada, who forced the garrisons of the two forts to surrender.

Juraguanas, where Colonel Estrada, with 1,000 men, met an equal number of Spanish regulars and defeated them.

Colonel Guerra surprised a Spanish guerrilla under Boeras; made many prisoners, whom he set at liberty.

El Cacao, where General Rabi cut to pieces the Spanish forces under Lieut. Col. U. Sanchez and obtained many rifles and ammunition.

El Jobito: This was one of the most important engagements in the east. It took place near Guantanamo, and Lieutenant Colonel Bach was killed and his troops decimated by Generals Maceo and Perez.

About the middle of July Gen. Martinez Campos, urged by the numerous complaints through the press that the Spanish forces in Bayamo were in a deplorable condition, without food or hospitals, and were cut off from Manzanillo, and wishing by a concerted movement of his lieutenants to crush the revolution at one blow, started from Manzanillo on the 12th for the purpose of relieving Bayamo, and intending thence to march west and drive Gomez into the Spanish military line between the province of Santa Clara and Puerto Principe, thus catching the Cubans between two fires. At the same time three Spanish columns were to march against Maceo and his forces from different directions, and surround and exterminate them. Campos, with 4,800 men under the command of Gen. Fidel Santoscildes, met 3,600 Cubans under Generals Maceo and Rabi on the road to Bayamo at Peralejos.

The battle which followed is known as the battle of Bayamo, Valenzuela, or Peralejo. It lasted eleven hours. General Santoscildes fell in the early part of the engagement, and thereupon Campos himself took command. The Spaniards, completely routed, were forced to kill all their mules and horses to form with them a barricade; left their convoy, the wounded, and dead on the field, and fled in disorder to Bayamo. The loss of the Spaniards was 400 killed and a larger number wounded. The Cubans' was 137 in all. Maceo took care of the Spanish wounded, and sent word to Campos to send a detachment to receive them, which was done.



General Campos, on reaching Bayamo, sent for heavy reinforcements, withdrawing a considerable number of troops from the province of Santa Clara.

Generals Roloff, Sanchez, and Rodriguez landed in that province at about this time with a large amount of war material, but not enough, as it proved, to fully arm all those who enthusiastically rushed to join them. Before the Spaniards had extricated Campos from his perilous position, the Cuban forces in the province of Santa Clara had been organized into the Fourth Army Corps, and operations were immediately begun.

Santa Clara is one of the wealthiest provinces in the island, and to protect the interest there large reinforcements were called from Spain, as they could not rely on the Spanish "volunteers." The best proof of this was that 400 Spanish volunteers, under Major Casallas, deserted and joined the Cuban ranks in a body at their first opportunity, taking with them all their arms, ammunitions, and supplies. Here, as in other provinces, skirmishes are of daily occurrence, and many fierce encounters have taken place. Among the most important engagements were the capture of Fort Taguasco by Gen. Serafin Sanchez; Las Varas, where 2,000 Spanish troops under Colonel Rubin were defeated by Generals Roloff and Sanchez; Cantabria, where Colonel Rego took many prisoners and war materials, and the raid and burning of the town of Guinia de Miranda by Colonel Perez, and Cayo Espino, where Colonel Lacret inflicted a severe defeat on the Spaniards under Colonel Molina. A most important part of the work of the forces in Santa Clara, which occupied considerable time and caused many encounters with the enemy, was the destruction of telegraph and telephone communications and railroads, of which there are many lines or branches in this district.

#### GOMEZ'S CAMPAIGNS.

Immediately on the landing of Generals Martí and Gomez they set out to cross the province of Santiago and enter that of Puerto Principe. It will be remembered that at about this time General Campos arrived in the island with reinforcements of over ten thousand men; the object of Gomez in marching into Puerto Principe was to lead those whom he knew were only expecting his arrival in that province in order to take the field. The citizens of Puerto Principe, or Camaguey, as it is also called, had the reputation of being rather conservative and hence both Spaniards and Cubans waited their determination with great interest.

Gen. Martínez Campos boasted that the inhabitants of Camaguey would never rise in revolt against Spain, but to make assurance doubly sure he placed a cordon of troops numbering about 10,000 on the border between Santiago and Puerto Principe to prevent the entry of Gomez into the latter district. Gomez and Martí started on their westward journey with about 300 men. In trying to pass the first line of troops at Boca de Dos Rios a severe conflict took place May 19, with a greatly superior force in which José Martí was killed. Great joy was manifested by the Spaniards, who claimed that the revolution had received its deathblow in the loss of Martí, but Gomez continued his advance westward, and ordering a feint to be made by Gen. Antonio Maceo at a point in the north of the Spanish cordon, he succeeded in eluding the enemy and entering the southern part of the province of Puerto Principe in the beginning of June. Here he was joined by Salvador Cisneros Betancourt, now the President of the Republic, the most influential Cuban of that province, together with

all the young men of the city, and his forces were rapidly swelled to thousands by additions from all parts of the province. These he subsequently organized into the Third Army Corps.

Thus Gomez was successful in this first campaign of the revolution. Immediately on his arrival in Camaguey he proceeded by a series of rapid cavalry movements to increase his supply of arms and ammunition. He captured and burned Alta Gracia and captured the fort of El Mulato; he cut to pieces a Spanish guerrilla near Las Yeguas. The town and fort of San Jeronimo surrendered to him, and he attacked and raided the town of Cascorro; in all of which places many arms and ammunition as well as prisoners were taken; the latter being invariably released.

During the summer the city of Puerto Principe was constantly menaced in order to allow Gomez to complete his organization of the province.

He was much criticised by Gen. Martinez Campos for his inactivity during the summer, but the Spanish troops nevertheless did not interfere with his plans. Early in July he issued the first of the now famous orders relative to the sugar crop, and announced his intention of marching through Santa Clara and into Matanzas in the winter in order to superintend the carrying out of his decrees, increasing his military stores in the meantime, as well as securing the food supply of his army by corralling the cattle of the province in secure places.

As will be shown further on, General Gomez was upon the establishment of the Government confirmed as commander in chief of the Cuban forces.

In order to carry out his winter campaign he placed Maj. Gen. José Maria Rodriguez in command of the Third Army Corps. The Spaniards explained the wonderful progress of the revolution by the fact that it is impossible for their soldiers to operate during the wet season, and stated that as soon as the winter or dry season set in, or, as it has been expressed by one of her diplomatic representatives, after three days of a northern wind, the Cubans would be driven back from the provinces of Santa Clara and Puerto Principe in the province of Santiago, intending then, by a concentration of their entire fleet at the eastern end of the island, to cut off all basis of supplies and starve the Cubans into submission. At the beginning of the dry season Gomez had perfected all the arrangements of his march to the west; he had ordered Gen. Antonio Maceo with about 4,000 men, mostly infantry, to follow and join him at Sancti Spiritus, on the western boundary of Santa Clara, where Generals Roloff, Sanchez, Perez, and Lacret were waiting, under orders, for the advance of the commander in chief.

Between the provinces of Santa Clara and Puerto Principe there is a line of forts extending from the town of Jucaro to the town of Moron, called the Trocha. To prevent the entrance of Gomez into Santa Clara, Gen. Martinez Campos reenforced their garrisons and placed strong columns along the line to fill up the gaps. General Gomez, with a few hundred men, succeeded by a series of maneuvers into getting through this line and falling upon the town of Pelayo, and captured the forts which guarded it, together with the entire garrison and a large amount of arms and ammunition. He then moved north in the province of Santa Clara, into the district of Remedios, moved west, recrossed the Trocha, and there joined forces with Gen. Antonio Maceo. The latter had marched his soldiers through the entire province of Puerto Principe, although four large Spanish columns were sent to interrupt his progress. These he succeeded in eluding, defeating them, however,

on several occasions. The combined forces of Maceo and Gomez, by a series of strategic movements, again succeeded in passing the Trocha; their rear guard defeating Colonel Segura, inflicting heavy loss and capturing nearly 200 mules laden with arms, ammunition and supplies.

On the arrival of the combined forces in Santa Clara, Gomez, taking charge of all the forces in the district, divided them, sending flying columns in advance under Generals Suarez, Perez, and Lacret, dispatching others to Sagua, in the north, and toward Trinidad, in the south. Maceo's forces made a demonstration on the city of Santa Clara, which was now Martinez Campos's headquarters, while Gomez threatened Cienfuegos. In all the operations which now followed General Gomez had ample forces in his rear, so that his retreat, if made necessary, would not be cut off.

Immediately on the threatening of Cienfuegos Gen. Martinez Campos removed his headquarters from Santa Clara to Cienfuegos, and thence dispatched a large number of troops to form a line between Cienfuegos, Las Cruces, and Lajas, to impede the westward march of the Cuban army. Still advancing westward, and ordering a concentration of his troops, Gomez outflanked the Spanish command, his rear guard distracting their attention and engaging them severely at Maltiempo, in the western part of the province.

On the border of Matanzas Gomez again radiated his troops, Gen. Quintin Bandera on the north, General Maceo in the center, General Gomez himself to the south, while Generals Suarez, Perez, Lacret, and other officers attracted the attention of the enemy by rapid marches and raids. Martinez Campos had again changed his headquarters, this time moving to Colon, in the province of Matanzas; he hoped that the Spanish forces to the rear of the Cubans would be able to cooperate with him, but every means of communication by railroad, telephone, or telegraph had been completely destroyed by the Cubans in their progress, and no word could be sent nor soldiers transported quickly enough for a combined attack of front and rear of the Cubans. From this time on fighting was very sharp, and, as the order of Gomez concerning the grinding of the sugar crop was evidently being disobeyed in Matanzas and Santa Clara, the torch was applied, and it is estimated that a very insignificant part of the sugar crop will be exported this season.

With calls for the protection of the plantations in Santa Clara and Matanzas to attend to, the cities of Santa Clara, Cienfuegos, Matanzas, Cardenas, and Colon threatened, with all communications to the east, except by water, cut off, with the Cuban forces still advancing in oblique directions to the west, Martinez Campos concentrated as many troops as possible, sending to the most easterly province, that of Santiago, all the troops that could be spared from that district, he himself again changing his headquarters with the advance of Gomez to Jovellanos, thence to Limonar, to Matanzas, and finally to Havana, where, at the present writing, he is actively engaged in fortifying the land approaches to the capital, while he has hurried to the neighborhood of Batabano as many troops as could be spared, withdrawing even a large number of the marines from the fleets, thus assigning them to shore duty. Even the line at Batabano has been broken by the Cuban forces, and all communications to the east have been cut off.

So grave has the situation become that martial law has been proclaimed in the provinces of Havana and Pinar del Rio, so that the entire island from Point Maysi to Cape Antonio is now declared to be in a state of siege. The censorship of the press has been made more rigid than ever, and an order issued for the delivery of all horses in the

island to the Spanish Government at prices ranging from \$18 to \$35. It is not intended to pay for these in cash, as only certificates of the delivery of the horses to the Government with the value of the animal as fixed by the latter are given to the owners. Either this is an extreme war measure taken only because of absolute necessity and of the scarcity of money, or it is another example of the gentle methods of the Spanish Government in its treatment of the Cuban and his property.

While the westward march of Gomez was in progress Gens. Francisco Carrillo and José M. Aguirre landed on the eastern end of the island with a considerable supply of munitions, including some artillery, and succeeded in marching through the provinces of Santiago and Puerto Principe into that of Santa Clara, capturing several forts on the way. General Carrillo has taken command in the Remedios district, where his personal popularity has caused thousands to join him. General Aguirre reported to the commander in chief, and is now assisting in the operations of Matanzas.

It was not the intention of General Gomez when he planned his winter campaign to march on and lay siege to the capital, his only object being to prevent the grinding and export of the sugar crop and the consequent flow of treasure into the Spanish coffers, and to demonstrate to the world that he could control the provinces and enforce his orders.

While this march of the main bodies of troops westward has been carried on, the Cuban forces of the other army corps have also succeeded in carrying out the orders concerning sugar cane and preventing the establishment of Spanish lines of communication. As artillery has now been introduced into the Cuban army, forts are more easily taken. There has been constant communication from the interior to the coast; vessels of the Spanish navy have frequently been engaged by the insurgents, and in one case a small armed coast-guard vessel was captured by them.

Supplies are received by the Cubans at convenient points on the coast and transferred to the interior. When it is remembered that in the revolution of 1861 to 1878 there were never more than 10,000 armed insurgents in the field; that these rarely, if ever, took the offensive, and yet compelled Spain to maintain an army of 120,000 men in the field, many of whom were Cuban volunteers in the strict sense of the term; that this little band caused Spain to spend in the ten years over \$700,000,000 and to lose over 200,000 men, and that when in contrast we see in this revolution there are already more than 50,000 Cubans in the field, directed by veterans of the last war, who now are on the offensive, and that now Cuban does not fight against Cuban, the chance of ultimate success of the Cuban arms must appear to an impartial observer, especially in the light of Gomez's wonderful western march, and that in two months more the climate will again militate against the Spanish troops.

#### MILITARY ORGANIZATION.

The military organization of the Cubans is ample and complete.

Maj. Gen. Maximo Gomez is the commander in chief, as we have said, of all the forces, a veteran of the last revolution, as indeed are all the generals almost without exception. Maj. Gen. Antonio Maceo is second in command of the army of liberation, and was, until called upon to cooperate with the commander in chief in the late march to the western province, in command of Santiago.

The army is at present divided into five corps—two in Santiago, one in Puerto Principe, and two in Santa Clara and Matanzas. These corps

are divided into divisions, these again into brigades, and finally into regiments; the forces are moreover divided into cavalry and infantry, besides having engineers, and lately artillery and a perfect sanitary corps, which latter is in command of Eugenio Sanchez Agramonte, with the grade of brigadier-general. Maj. Gen. José Maceo commands the First Santiago Corps, while Maj. Gen. Bartolome Masso commands the Second Corps in that province.

Commanding divisions and brigades in these two corps are Brig. Gens. Pedro Perez, Agustin Cebreco, Jesus Rabi, Luis Feria, Bernardo Capote, Higinio Vasquez, and Angel Guerra.

The Third Corps is in command of Maj. Gen. José M. Rodriguez. The Fourth Corps is in command of Maj. Gen. Carlos Roloff, the divisions and brigades being commanded by Maj. Gens. Francisco Carrillo and Serafin Sanchez and Brig. Gens. Tranquilino Perez, Juan B. Zayas, and Rogelio Castillo. The Fifth Corps is in command of Maj. Gen. Manuel Suarez, and the divisions and brigades are commanded by Francisco Perez, José Lauret, and José M. Aguirre.

The first two corps consist of 26,000 men, mostly infantry; the third, of about 4,000 men, mostly cavalry; the Fourth and Fifth Corps consisted before the late invasion of Gomez of over 20,000 men, both infantry and cavalry, which force has been considerably increased in these last days. Of the 50,000 men that there are at least in the field, more than half are fully armed and equipped, the rest carrying miscellaneous weapons or side arms.

The work of fully equipping the army is now proceeding rapidly. The higher grades and commissions are all confirmed by the Government.

Stations for the manufacture of powder and the reloading of cartridges are established, as well as manufacturing of shoes, saddles, and other equipments. The hospitals for the sick and wounded are also provided. Red Cross societies have offered their cooperation, but the Spanish commander in chief has refused to allow them to enter the insurgent lines.

The discipline of the army is strict and marauding is promptly punished, as was done in the case of Lient. Alberto Castillo, an officer of the Second Corps, who was tried and shot for robbery, and as has been repeatedly done with the "Plateados," men who, taking advantage of the unsettled condition of affairs in the country, have turned bandits. The Cuban Army of Liberation is entirely volunteer, without pay

#### CIVIL GOVERNMENT.

As above indicated, José Martí was the head of the preliminary civil organization, and he, immediately upon landing with Gomez in Cuba, issued a call for the selection of representatives of the Cuban people to form a civil government.

His death postponed for a time the selection of these men, but in the beginning of September the call previously issued was complied with.

Representatives from each of the provinces of Santiago, Puerto Principe, Santa Clara, and the western part of the island, comprising the provinces of Matanzas and Havana, making twenty in all, were elected to the constituent assembly, which was to establish a civil government, republican in form.

A complete list of the members of the constituent assembly which met at Jimaguayu, in the province of Puerto Principe, on the 13th of September, 1895, together with an account of its organization and subsequent action, will be found in the document hereto annexed and marked B.

A constitution of the Republic of Cuba was adopted on the 16th of September, and copy of which will be found in document annexed marked B.

On the 18th of September the following officers of the Government were elected by the constituent assembly in accordance with the terms of the constitution:

President, Salvador Cisneros Betancourt, of Puerto Principe; vice-president, Bartolome Masso, of Manzanillo; secretary of war, Carlos Roloff, of Santa Clara; secretary of the treasury, Severo Pina, of Sancti Spiritus; secretary of the interior, Santiago Garcia Canizares, of Remedios; secretary of foreign relations, Rafael M. Portuondo, of Santiago de Cuba; subsecretary of war, Mario Menocal, of Mantanzas; subsecretary of the treasury, Joaquin Castello, of Santiago de Cuba; subsecretary of the interior, Carlos Dubois, of Baracoa; subsecretary of foreign relations, Fermin Valdes Dominguez, of Havana.

The installation of these officers duly followed. The election of the general in chief and the second in command, who is to bear the title of lieutenant-general, was then had, and resulted in the unanimous election of Maximo Gomez and Antonio Maceo, respectively.

On the same day the constituent assembly elected by acclamation as delegate plenipotentiary and general agent abroad of the Cuban Republic, the undersigned, Tomas Estrada Palma. The credentials issued to me are hereto annexed, marked C.

Immediately thereafter the government council proceeded to the headquarters of General Gomez, in Puerto Principe, where the latter took the oath of allegiance to the constitution of the Republic, together with his troops, who there gathered for this purpose, and was installed as commander in chief of the armies of the Republic.

The government council then proceeded to the province of Santiago, where Gen. Antonio Maceo and his forces took the oath of allegiance.

Thence the council proceeded to the province or Santa Clara to inspect and administer the oath to the troops of the Fourth and Fifth Army Corps. They are now on their way to the province of Santiago, where their permanent headquarters will be established.

The divisions of the provinces into prefectures under the supervision of the secretary of the interior and the duties which devolve in this department are fully set forth in Exhibit B, as well as the duties of the secretary of the treasury. The impositions, rate and collection of the taxes, and sources of income of the Government will also be found in Exhibit B.

All moneys collected in accordance with the laws of the Republic, as well as those received through voluntary contributions, are delivered to him or his duly authorized agent and expended under his supervision or that of his agents, to supply the present needs of the Government, which are mainly purchase of arms and ammunition.

The money thus collected has been sufficient to equip the army and keep it supplied with ammunition, although, as it is natural, from the rapid increase of the ranks and the difficulty of bringing supplies into the island, many of the new recruits have not yet been fully armed. The problem of equipping the army is not a financial one, but arises from the caution necessary to blockade running and, above all, the preventive measures taken by foreign Governments, and the notice which is in all cases given to the enemy of the embarkment of munitions. No report of the secretary of the treasury has yet been made, as he has been in office but three months.

For the purpose of properly collecting the imposts the roads to all cities, as well as the coast, are patrolled by the Cubans. The Cuban

Government publishes two newspapers, *El Cubano Libre* and the *Boletín de la Guerra*.

TREATMENT OF PRISONERS.

From the beginning of this insurrection the conduct of the Cubans as to prisoners has been in strong contrast to that of the Spaniards; prisoners taken by the Cubans have been invariably well treated, cared for, and liberated, officers as well as common soldiers, as soon as it was possible under the circumstances, and word sent to the Spanish officers to call for them on the guaranty that the detachment would be respected.

As instances we may recite those even admitted by the Spaniards, namely: Ramon de las Yaguas, Campechuela, and Peralejos, in Santiago; el Mulato, San Jeronimo, and Las Minas, in Puerto Principe; Taguasco, Pelayo, and Cantabria, in Santa Clara. After the last-mentioned engagement Colonel Rego returned his prisoners to the Spanish lines, obtaining a receipt for their delivery signed by a lieutenant, of which a copy is hereto annexed, marked D.

This action, in accordance with the spirit of the insurrection, which is declared not to be against the Spaniards, of whom many are fighting for the independence of the island, but against the Spanish Government, is echoed by the general order of the commander in chief on this subject, of which the following is a copy:

CIRCULAR OF THE GENERAL IN CHIEF.

GENERAL HEADQUARTERS OF THE ARMY OF LIBERATION,  
*Camaguey, August 1, 1896.*

In order to establish in a clear and precise manner the mode of procedure toward the chiefs, officers, and soldiers of the monarchy captured in action or operations, and toward those who voluntarily surrender to our columns or authorities, I have deemed it convenient to order as follows:

ART. 1. All prisoners captured in action or by the troops of the Republic will be immediately liberated and returned to their ranks, unless they volunteer to join the army of liberation. The abandoned wounded will be gathered and attended to with all care, and the unburied dead interred.

ART. 2. All persons who shall be arrested, charged with committing the misdemeanors in the circular of July 1, by violating or disregarding the said order, will be summarily proceeded against.

ART. 3. Those of the prisoners who are chiefs or officers of the army of the monarchy will be respected and considered according to their rank and treated according to the valor with which they may have resisted, and will all be returned to their ranks if they so desire.

ART. 4. Those who volunteer to join the ranks of the republicans, and appear before our columns and authorities, will have their option in the mode of serving the cause of the Republic, either in arms or by more peaceful occupations, civil or agricultural pursuits.

I communicate this to you for your instruction and for your rigid compliance. Country and liberty.

MAXIMO GOMEZ,  
*The General in Chief.*

On the part of the Spanish, attention is called to the order prohibiting newspaper correspondents from entering insurgent lines to prevent accurate information being given to the world at large; the order to shoot all who supply food or medicines to the insurgents; the order, which in every instance has been carried out, to shoot all officers of the Cuban army who may be captured, under which Domingo Mujica, Gil Gonzalez, Quirina Amezago, and Acebo have been executed. At the recapture of Baire, old men, women, and children were ruthlessly slaughtered by the Spanish soldiery, the hospital at Gran Piedra was

captured and over seventy wounded and defenseless Cubans were killed; at Cayo Espino peaceful men and women were butchered by Colonel Molina and the outrages committed by the troops under Garrido and Tejera are legion. The action of convicts, who have been liberated by Spain to fight the Cubans under such leadership as that of the notorious Lola Benitez, who bears the title of colonel, are, as might be expected, a blot on any Christian army.

As to the treatment of Cubans suspected of sympathy with the insurgents, we have but to consider the large number of men who have lately been arrested and on bare suspicion summarily sent to the Spanish penal colonies for life; some foreign citizens have indeed escaped court martial on the interference of their Governments, but it is well known that even civil trials at this time are under the absolute control of the Government.

#### NOT A NEGRO MOVEMENT.

The Spaniards charge, in order to belittle the insurrection, that it is a movement of negroes. It should be remembered that not more than one-third of the entire population are of the colored race. As a matter of fact, less than one-third of the army are of the colored race. Take, for instance, the generals of corps, divisions, and brigades; there are but three of the colored race, namely, Antonio and José Maceo and Augustin Cebreco, and these are mulattoes whose deeds and victories have placed them far above the generals of those who pretend to despise them. None of the members of the constituent assembly or of the Government are of the colored race. The Cubans and the colored race are as friendly in this war as they were in times of peace, and it would indeed be strange if the colored people were not so, as the whites fought for and with them in the last revolt, the only successful purpose of which was the freedom of the slaves.

If it be true that this is merely a movement of bandits and negroes and adventurers, as the Spaniards assert, why have they not armed the Cuban people to fight against the outlaws, or why have not the Cuban people themselves volunteered to crush this handful? On the contrary, they know that giving those Cubans arms who have them not would be but to increase the number of insurgents, and they have therefore sent more than 125,000 troops from Spain, mostly conscripts; they have sent over forty of their most famous generals; they have increased their navy, and virtually, so far as the Cubans are concerned, blockaded the entire coast. They have been compelled to make many onerous loans to carry on the campaign; they have increased the fortifications of their ports; they have brought torpedoes to protect their harbors, and they have even placed armed troops on their mail steamers to prevent their capture.

Besides this large army, they have between 60,000 and 80,000 volunteers to protect their towns. These volunteers, so called, are native Spaniards and a branch of the regular army, the service being compulsory; that is, instead of serving in the regular army at home, where their entire time must be given up, they volunteer to enter this body on emigration to Cuba, where they may follow to a considerable extent their occupation; in other words, they correspond to our home guards or militia, except that the service is obligatory and that the men can not leave the island without permission.

It is not denied that a large number of what the Spaniards term the lower classes are in this revolution, but this is only a proof of how deep into the mass of the people have been implanted the seeds of discon-



tent and of republicanism. This is a movement not like our last revolution—the result of the agitation of the wealthy and the educated—but one which is the outcome of the popular sentiment of all classes.

Much surprise has been expressed that with the immense army and resources at hand Spain has not been able to crush the insurrection or prevent its rapid growth. Aside from the climate, which is deadly to the raw, ill-fed, ill-clothed, ill-treated, and badly paid Spanish troops, the greater part of whom are mere lads, the Spaniards have to divide their troops into an army of occupation and another of operation. These must necessarily move in considerable numbers, because if compelled to flee without a knowledge of the intricacies of the country they would be decimated.

A Cuban command on dispersion is readily reorganized, as each man is his own guide. This is one of the most valuable of Cuban movements—to disperse as if routed, to rally at a previously agreed point, and then to fall upon and surprise the seemingly victorious enemy. The Cuban, used to the country and the climate, marches and rides much faster than the Spaniard. He can live and thrive, and does so in necessity, on food that is death to the Spanish soldier. Moreover in a friendly country the movements of the enemy are readily ascertained by the Cuban general, who can thus select his own position or evade the engagement, while the Spanish are never so well informed and are at the mercy of their guides.

It must be remembered that the Cuban fights for the noblest principle of man—independence. That he does so without compulsion or pay, but spontaneously and enthusiastically—nay, he fights the battle of despair, knowing it is better to be killed thus than to bear the tortures of a Spanish prison or to trust himself to the tender mercy of a Spanish commander. On the other hand, the Spanish troops fight by compulsion and for pay, which is even now months in arrears; they fight without faith, for their heart is not with their cause. They know that surrender means pardon and good treatment, while fighting may mean death. Hundreds of Spanish soldiers have singly or in groups gone over to the insurgent lines, being satisfied that they would live there under better conditions.

#### CHARACTER OF THE WAR.

There was also an attempt made by the Spanish to brand the Cubans with carrying on an uncivilized warfare because of their use of dynamite. General Roloff before using this explosive issued a proclamation warning all persons of the danger of traveling by rail. Dynamite has been used freely, but only as a substitute for gunpowder in the destruction of railroad bridges, trestles, and trains which could be used and were used for the transportation of Spanish troops. Of course it is a serious loss to Spain to have these railroads destroyed, but no one can seriously deny that it is a measure justified by the necessities of war. The use of this explosive as a substitute for gunpowder in the operation of mines is simply a proof that the Cubans are keeping pace with the advance of inventions in the art of war.

#### DESTRUCTION OF PROPERTY.

The subject, however, which has caused probably the most discussion is the order of General Gomez to prevent the grinding of sugar cane and in case of the disobedience of said order the destruction of the crop.

General Gomez issued a preliminary warning dated July 1, of which the following is a copy:

GENERAL HEADQUARTERS OF THE ARMY OF LIBERATION,  
*Najasa, Cumaguey, July 1, 1895.*

*To the Planters and Owners of Cattle Ranches:*

In accord with the great interests of the revolution for the independence of the country and for which we are in arms:

Whereas all exploitations of any product whatsoever are aids and resources to the Government that we are fighting, it is resolved by the general in chief to issue this general order throughout the island that the introduction of articles of commerce, as well as beef and cattle, into the towns occupied by the enemy, is absolutely prohibited. The sugar plantations will stop their labors, and whosoever shall attempt to grind the crop notwithstanding this order, will have their cane burned and their buildings demolished. The person who, disobeying this order, will try to profit from the present situation of affairs, will show by his conduct little respect for the rights of the revolution of redemption and therefore shall be considered as an enemy, treated as a traitor, and tried as such in case of his capture.

MAXIMO GOMEZ,  
*The General in Chief.*

Nevertheless throughout the country preparations were made for the grinding of the crop. A peremptory order, of which the following is a copy, was then issued on November 6:

HEADQUARTERS OF THE ARMY OF LIBERATION,  
*Territory of Sancti Spiritus, November 6, 1895.*

Animated by the spirit of unchangeable resolution in defense of the rights of the revolution of redemption of this country of colonists, humiliated and despised by Spain, and in harmony with what has been decreed concerning the subject in the circular dated the 1st of July, I have ordered the following:

ARTICLE I. That all plantations shall be totally destroyed, their cane and outbuildings burned, and railroad connections destroyed.

ART. II. All laborers who shall aid the sugar factories—these sources of supplies that we must deprive the enemy of—shall be considered as traitors to their country.

ART. III. All who are caught in the act, or whose violation of Article II shall be proven, shall be shot. Let all chiefs of operations of the army of liberty comply with this order, determined to unfurl triumphantly, even over ruin and ashes, the flag of the Republic of Cuba.

In regard to the manner of waging the war, follow the private instructions that I have already given.

For the sake of the honor of our arms and your well-known courage and patriotism, it is expected that you will strictly comply with the above orders.

M. GOMEZ, *General in Chief.*

To the chiefs of operations: Circulate this.

On the 11th of November the following proclamation was issued:

HEADQUARTERS OF THE ARMY OF LIBERATION,  
*Sancti Spiritus, November 11, 1895.*

*To honest men, victims of the torch:*

The painful measure made necessary by the revolution of redemption drenched in innocent blood from Hatuey to our own times by cruel and merciless Spain will plunge you in misery. As general in chief of the army of liberation it is my duty to lead it to victory, without permitting myself to be restrained or terrified, by any means necessary to place Cuba in the shortest time in possession of her dearest ideal. I therefore place the responsibility for so great a ruin on those who look on impassively and force us to those extreme measures which they then condemn like dolts and hypocrites that they are. After so many years of supplication, humiliations, contumely, banishment, and death, when this people, of its own will, has arisen in arms, there remains no other solution but to triumph, it matters not what means are employed to accomplish it.

This people can not hesitate between the wealth of Spain and the liberty of Cuba. Its greatest crime would be to stain the land with blood without effecting its purposes because of puerile scruples and fears which do not concur with the character of the men who are in the field, challenging the fury of an army which is one of the bravest in the world, but which in this war is without enthusiasm or faith, ill fed and unpaid. The war did not begin February 24; it is about to begin now.

The war had to be organized; it was necessary to calm and lead into the proper channels the revolutionary spirit always exaggerated in the beginning by wild enthusiasm. The struggle ought to begin in obedience to a plan and method more or less studied, as the result of the peculiarities of this war. This has already been done. Let Spain now send her soldiers to rivet the chains of her slaves; the children of this land are in the field, armed with the weapons of liberty. The struggle will be terrible, but success will crown the revolution and efforts of the oppressed.

MAXIMO GOMEZ, *General in Chief.*

The reasons underlying this measure are the same which caused this country to destroy the cotton crop and the baled cotton in the South during the war of the secession.

The sugar crop is a source of large income to the Spanish Government, directly by tax and export duty, as well as indirectly. The action of the insurgents is perfectly justified, because it is simply a blockade, so to speak, on land—a prevention of the gathering, and hence the export, of the commodity with, naturally, a punishment for the violation thereof.

#### PROTESTS OF ALIENS.

Strenuous protests have, too, been made by and on behalf of aliens residing in or having property in Cuba.

It is admitted in civilized warfare that the property of alien residents, whether they are in sympathy with the enemy or not, when in the track of war, is subject to war's casualties, and that all property which might be of aid and comfort to the enemy may be taken or destroyed, the commander in the field being the judge of the exigency and necessities which dictate such action. This proposition has been laid down by the State Department and the Supreme Court of this country in the matter of the destruction of cotton in the late war.

The provision of the constitution of the Republic of Onba that the citizens of a country which acknowledges the Cubans as belligerents, shall be exempt from the payment of taxes and contributions to the Republic, naturally implies that the property of such citizens after the granting of belligerency by their country, even though by all the laws of war it is contraband and may be seized or destroyed, will be absolutely respected, and, I have all reason to assert, will be under the special protection of the Cuban Government and its army.

For aliens to ask this protection as a right while their Government denies the existence of the belligerency of the Cubans might well be considered by the latter as allowing aid and comfort to go to their enemy, simply on the expectation that some time in the future the Government of those aliens may, out of gratitude to the Cubans, acknowledge, what is after all but a state of fact, belligerency. In the meantime the aid and comfort thus allowed by the Cubans to flow to the Spaniards must strengthen the latter and thus draw out the struggle or weaken the former. General Gomez explains the importance of this measure in the following letter:

DISTRICT OF REMEDIOS,  
*Province of Santa Clara, December 8, 1895.*

TO TOMAS ESTRADA PALMA.

MY DEAR AND ESTEEMED FRIEND: It is not long since I wrote you, but an opportunity offers by which I may send you a few words of encouragement and good cheer. Rest assured I write you whenever I can, which is not often, owing to the great amount of work which at present falls upon my shoulders. I know the pen is mightier than the sword, but my mission at present is with the latter; others must wield the pen.

Eight days ago Gen. Antonio Maceo and myself met and fought the enemy with our forces in conjunction. The Spanish column, including infantry, cavalry, and

artillery were our superiors in number, but the arms of the Cuban Republic were again victorious. I have not time at present to go into details of the battle, they will follow later. Suffice it to say, Spanish reports to the contrary notwithstanding, we won the day.

Our advance may be slow, but it will be sure and firm. If you hear of our retreat remember that it will be temporary and for a purpose. Our faces are turned toward the west and nothing will stop us. The result of my observations as we proceed is that the Spaniards are in need of almost everything—money, sympathy, soldiers, and even leaders who have faith and courage in the righteousness of their cause.

If Cuban valor and resolution do not fail us, and if the hearts of Cuba's children do not weaken, I have every reason to believe that the close of the six months' campaign now initiated will find everything satisfactorily settled and Cuba free.

I know that unfavorable comment has been made on some of the methods we have been forced to employ in this revolution, but it will not do to listen to the complaints of the superficial and irresponsible. No sugar crop must be made this winter under any circumstances or for any amount of money. It is the source from which the enemy still hopes and dreams of obtaining its revenue. To prevent that end, for the good of our country, has been and shall be our programme.

We are Cubans and have one great aim in view, one glorious object to obtain—the freedom of our country and liberty. It is of more importance to us than glory, public applause, or anything else. Everything else will follow in time. I have never believed in or advised a sanguinary revolution, but it must be a radical one. First of all we must triumph; toward that end the most effective means, although they may appear harsh, must be employed.

There is nothing so bad, so dishonorable, so inexcusable, in the eyes of the world as failure. Victory is within our reach. To hesitate, to delay it, to endanger it now, would be stupid, would be cowardly, would be criminal. We will succeed first; the applause of the world will follow. To do otherwise would be not to love one's country. I have never felt more confident than at the present moment. You can rest assured that Cuba will soon achieve her absolute independence.

Ever your true friend,

MAXIMO GOMEZ.

As I have through various sources been approached on this subject in behalf of property of American citizens on the island, and as I know the cordial friendship which the Cubans bear to the Government and people of the United States of America, feeling assured that this country, from its very history, must likewise feel a deep sympathy with a people who are treading in their footsteps, I have written to the Government of the Republic of Cuba the following letter:

NEW YORK, December 23, 1895.

SALVADOR CISNEROS BETANCOURT,  
*President of the Cuban Republic.*

MY DISTINGUISHED FELLOW-COUNTRYMAN: There have been many complaints made to me from various sources that the property of citizens of the United States of North America has been destroyed by our army of liberation in Cuba under the order of our distinguished general in chief, Maximo Gomez. I know very well how you and all my countrymen feel toward this Republic, and that you desire to do everything in your power to demonstrate your friendship, and I deem it my duty to communicate the above facts to you so that you may consider the matter carefully and thoroughly; at the same time I know that many Spaniards intend to transfer their property, as some have done already, to American citizens or companies especially organized for their purposes, in case that you should, before or after receiving the rights of belligerents, take active measures for the protection of North American interests.

I say this because I am sure that, at least after the granting of belligerency, you will do your utmost to guard the interests of the citizens of a country which warmly sympathizes with us in our present struggle.

Hoping that you will give this subject your most thoughtful consideration, I remain your devoted friend, for country and liberty,

T. ESTRADA PALMA.

In view of the history of this revolution as herein stated, in view of the causes which led to it, its rapid growth, its successes in arms, the establishment, operation, and resources of the Government of the Cuban Republic, the organization, number, and discipline of its army, the contrast in the treatment of prisoners to that of the enemy, the territory in its control and subject to the carrying out of its decrees, of

the futility of the attempts of the Spanish Government to crush the revolution, in spite of the immense increase of its army in Cuba and of its blockade and the many millions spent for that purpose, the cruelties which on the part of the Spanish have especially characterized this sanguinary and fiercely conducted war, and the damage to the interests of the citizens of this country under the present conditions, I, as the duly accredited representative, in the name of the Cuban people in arms who have fought singly and alone against the monarchy of Spain for nearly a year, in the heart of a continent devoted to republican institutions, in the name of justice, in the name of humanity, in the name of liberty, petition you, and through you the Government of the United States of America, to accord the rights of belligerency to a people fighting for their absolute independence.

Very respectfully, yours,

T. ESTRADA PALMA.

The Hon. RICHARD OLNEY,  
*Secretary of State of the United States of America.*

# A

## CUBA v. SPAIN.

War is a dire necessity. But when a people has exhausted all human means of persuasion to obtain from an unjust oppressor a remedy for its ills, if it appeals as a last resource to force in order to repel the persistent aggression which constitutes tyranny, this people is justified before its own conscience and before the tribunal of nations.

Such is the case of Cuba in its wars against Spain. No metropolis has ever been harsher or more obstinately harassing; none has ever exploited a colony with more greediness and less foresight than Spain. No colony has ever been more prudent, more long-suffering, more cautious, more persevering than Cuba in its purpose of asking for its rights by appealing to the lessons of experience and political wisdom. Only driven by desperation has the people of Cuba taken up arms, and having done so, it displays as much heroism in the hour of danger as it had shown good judgment in the hour of deliberation.

The history of Cuba during the present century is a long series of rebellions; but every one of these was preceded by a peaceful struggle for its rights—a fruitless struggle because of the obstinate blindness of Spain.

There were patriots in Cuba from the beginning of this century, such as Presbyter Caballero and Don Francisco Arango, who called the metropolitan Government's attention to the evils of the colony, and pointed to the remedy by pleading for the commercial franchises required by its economical organization, and for the intervention of the natives in its government, not only as a right, but also for political expediency, in view of the long distance between the colony and the home government, and the grave difficulties with which it had to contend. The requirements of the war with the continental colonies, which were tired of Spanish tyranny, compelled the metropolitan Government to grant a certain measure of commercial liberty to the Island of Cuba; a temporary concession which spread prosperity throughout its territory, but which was not sufficient to open the eyes of the Spanish statesmen. On the contrary, prompted by suspicion and mistrust of the Americans, they began by curtailing, and shortly after abrogated the limited administrative powers then possessed by some of the corporations in Cuba, such as the "Junta de Fomento"—(a board for the encouragement of internal improvements).

As if this were not enough, the Cubans were deprived of the little show of political intervention they had in public affairs. By a simple royal decree in 1837 the small representation of Cuba in the Spanish Cortes was suppressed, and all the powers of the Government were concentrated in the hands of the captain-general, on whom authority was conferred to act as the governor of a city in a state of siege. This implied that the captain-general, residing in Habana, was master of the life and property of every inhabitant of the island of Cuba. This meant that Spain declared a permanent state of war against a peaceful and defenseless people.

Cuba saw its most illustrious sons, such as Heredia and Saco, wander in exile throughout the free American Continent. Cuba saw as many of the Cubans as dared to love liberty and declare it by act or word die on the scaffold, such as Joaquin de Agüero and Plácido. Cuba saw the product of its people's labor confiscated by iniquitous fiscal laws imposed by its masters from afar. Cuba saw the administration of justice in the hands of foreign magistrates, who acted at the will or the whim of its rulers. Cuba suffered all the outrages that can humiliate a conquered people, in the name and by the work of a Government that sarcastically calls itself paternal. Is it to be wondered, then, that an uninterrupted era of conspiracies and uprisings should have been inaugurated? Cuba in its despair took up arms in 1850 and 1851, conspired again in 1855, waged war in 1868, in 1879, in 1885, and is fighting now since the 24th of February of the present year.

But at the same time Cuba has never ceased to ask for justice and redress. Its people, before shouldering the rifle, pleaded for their rights. Before the pronouncement of Agüero and the invasions of Lopez, Saco, in exile, exposed the dangers of Cuba to the Spanish statesmen, and pointed to the remedy. Other farsighted men seconded him in the colony. They denounced the cancer of slavery, the horrors of the traffic in slaves, the corruption of the officeholders, the abuses of the Government, the discontent of the people with their forced state of political tutelage. No attention was given to them, and this brought on the first armed conflicts.

Before the formidable insurrection of 1868, which lasted ten years, the reform party, which included the most enlightened, wealthy, and influential Cubans, exhausted all the resources within their reach to induce Spain to initiate a healthy change in her Cuban policy. The party started the publication of periodicals in Madrid and in the island, addressed petitions, maintained a great agitation throughout the country, and having succeeded in leading the Spanish Government to make an inquiry into the economical, political, and social condition of Cuba, they presented a complete plan of government which satisfied public requirements as well as the aspirations of the people. The Spanish Government disdainfully cast aside the proposition as useless, increased taxation, and proceeded to its exaction with extreme severity.

It was then that the ten-year war broke out. Cuba, almost a pigmy compared with Spain, fought like a giant. Blood ran in torrents. Public wealth disappeared in a bottomless abyss. Spain lost 200,000 men. Whole districts of Cuba were left almost entirely without their male population. Seven hundred millions were spent to feed that conflagration—a conflagration that tested Cuban heroism, but which could not touch the hardened heart of Spain. The latter could not subdue the bleeding colony, which had no longer strength to prolong the struggle with any prospect of success. Spain proposed a compact which was a snare and a deceit. She granted to Cuba the liberties of Puerto Rico, which enjoyed none.

On this deceitful ground was laid the new situation, throughout which has run a current of falsehood and hypocrisy. Spain, whose mind had not changed, hastened to change the name of things. The captain-general was called governor-general. The royal decrees took the name of authorizations. The commercial monopoly of Spain was named coasting trade. The right of banishment was transformed into the law of vagrancy. The brutal attacks of defenseless citizens were called "componte." The abolition of constitutional guarantees became the law of public order. Taxation without the consent or knowledge of the Cuban people was changed into the law of estimates (budget) voted by the representatives of Spain; that is, of European Spain.

The painful lesson of the ten-year war had been entirely lost on Spain. Instead of inaugurating a redeeming policy that would heal the recent wounds, allay public anxiety, and quench the thirst for justice felt by the people, who were desirous to enjoy their natural rights, the metropolis, while lavish in promises of reform, persisted in carrying on unchanged its old and crafty system, the groundwork of which continues to be the same, namely: To exclude every native Cuban from every office that could give him any effective influence and intervention in public affairs; the ungovernable exploitation of the colonists' labor for the benefit of Spanish commerce and Spanish bureaucracy, both civil and military. To carry out the latter purpose it was necessary to maintain the former at any cost.

## I.

In order to render the native Cuban powerless in his own country, Spain, legislating for Cuba without restriction as it does, had only to give him an electoral law so artfully framed as to accomplish two objects: First, to reduce the number of voters; second, to give always a majority to the Spaniards; that is, to the European colonists, notwithstanding that the latter represent only 9.3 per cent of the total population of Cuba. To this effect it made the electoral right dependent on the payment of a very high poll tax, which proved the more burdensome as the war had ruined the

larger number of Cuban proprietors. In this way it succeeded in restricting the right of suffrage to only 53,000 inhabitants in an island which has a population of 1,600,000; that is to say, to the derisive proportion of 3 per cent of the total number of inhabitants.

In order to give a decided preponderance to the Spanish European element, the electoral law has ignored the practice generally observed in those countries where the right to vote depends on the payment of a poll tax, and has afforded all the facilities to acquire the electoral privilege to industry, commerce, and public officials, to the detriment of the territorial property (the ownership of real estate). To accomplish this, while the rate of the territorial tax is reduced to 2 per cent, an indispensable measure, in view of the ruinous condition of the landowners, the exorbitant contribution of \$25 is required from those who would be electors as freeholders. The law has, moreover, thrown the doors wide open for the perpetration of fraud by providing that the simple declaration of the head of a commercial house is sufficient to consider all its employees as partners, having, therefore, the right to vote. This has given us firms with thirty or more partners. By this simple scheme almost all the Spaniards residing in Cuba are turned into electors, despite the explicit provisions of the law. Thus it comes to pass that the municipal district of Güines, with a population of 13,000 inhabitants, only 500 of which are Spaniards and Canary Islanders, shows on its electoral list the names of 32 native Cubans and of 400 Spaniards—only 0.25 per cent of the Cuban to 80 per cent of the Spanish population.

But, as if this were not enough, a so-called permanent commission of provincial deputations decides every controversy that may arise as to who is to be included in or excluded from the list of electors, and the members of this commission are appointed by the Governor-General. It is unnecessary to say that its majority has always been devoted to the Government. In case any elector considers himself wronged by the decision of the permanent commission he can appeal to the "audiencia" (higher court) of the district, but the "audiencias" are almost entirely made up of European magistrates; they are subject to the authority of the Governor-General, being mere political tools in his hands. As a conclusive instance of the manner in which those tribunals do justice to the claims of the Cuban electors, it will be sufficient to cite a case which occurred in Santa Clara in 1892, where 1,000 fully qualified liberal electors were excluded at one time, for the simple omission to state their names at the end of the act presented by the elector who headed the claim. In more than one case has the same "audiencia" applied two different criterions to identical cases. The "audiencia" of Havana, in 1887, ignoring the explicit provisions of the law, excused the employees from the condition of residence, a condition that the same tribunal exacted before. The same "audiencia" in 1885 declared that the contributions to the State and to the municipality were accumulative, and in 1887 decided the opposite. This inconsistency had for its object to expunge from the lists hundreds of Cuban electors. In this way the Spanish Government and tribunals have endeavored to teach respect for the law and for the practice of wholesome electoral customs to the Cuban colonists.

It will be easily understood now why on some occasions the Cuban representation in the Spanish Parliament has been made up of only three deputies, and in the most favorable epochs the number of Cuban representatives has not exceeded six. Three deputies in a body of four hundred and thirty members! The genuine representation of Cuba has not reached sometimes 0.96 per cent of the total number of members of the Spanish congress. The great majority of the Cuban deputations has always consisted of Spanish peninsulars. In this manner the ministers of "ultramar" (ministers of the colonies), whenever they have thought necessary to give an honest or decent appearance to their legislative acts by an alleged majority of Cuban votes, could always command the latter—that is, the peninsulars.

As regards the representation in the senate, the operation has been more simple still. The qualifications required to be a senator have proved to be an almost absolute prohibition to the Cubans. In fact, to take a seat in the higher house it is necessary to have been president of that body or of congress, or a minister of the crown, or a bishop, or a grandee of Spain, a lieutenant-general, a vice-admiral, ambassador, minister plenipotentiary, counselor of state, judge, or attorney-general of the supreme court, of the court of accounts, etc. No Cuban has ever filled any of the above positions, and scarcely two or three are grandees. The only natives of Cuba who can be senators are those who have been deputies in three different Congresses, or who are professors and have held for four years a university chair, provided that they have an income of \$1,500; or those who have a title of nobility, or have been deputies, provincial deputies, or mayors in towns of over 20,000 inhabitants, if they have in addition an income of \$4,000, or pay a direct contribution of \$800 to the treasury. This will increase in one or two dozen the number of Cubans qualified to be senators.

In this manner has legislative work, so far as Cuba is concerned, turned out to be a farce. The various Governments have legislated for the island as they pleased. The

representatives of the peninsular provinces did not even take the trouble of attending the sessions of the Cortes when Cuban affairs were to be dealt with; and there was an instance when the estimates (budget) for the Great Antille were discussed in the presence of less than thirty deputies, and a single one of the ministers, the minister of "ultramar" (session of April 3, 1880).

Through the contrivance of the law, as well as through the irregularities committed and consented in its application, have the Cubans been deprived also of representation in the local corporations to which they were entitled, and in many cases they have been entirely excluded from them. When, despite the legalized obstacles and the partiality of those in power, they have obtained some temporary majority, the Government has always endeavored and succeeded in making their triumph null and void. Only once did the home-rule party obtain a majority in the provincial deputation of Havana, and then the Governor-General appointed from among the Spaniards a majority of the members of the permanent commission. Until that time this commission had been of the same political complexion as the majority of the deputation. By such proceedings have the Cubans been gradually expelled, even from the municipal bodies. Suffice it to say that the law provides that the derramas (assessments) be excluded from the computation of the tributary quotas, notwithstanding that they constitute the heaviest burden upon the municipal taxpayer. And the majorities, consisting of Spaniards, take good care to make this burden fall with heavier weight upon the Cuban proprietor. Thus the latter has to bear a heavier taxation with less representation.

This is the reason why the scandalous case has occurred lately of not a single Cuban having a seat in the "Ayuntamiento" (board of aldermen) of Havana. In 1891 the Spaniards predominated in thirty-one out of thirty-seven "Ayuntamientos" in the province of Havana. In that of Güines, with a population of 12,500 Cuban inhabitants, not a single one of the latter was found among its councillors. In the same epoch there were only three Cuban deputies in the provincial deputation of Havana; two in that of Matanzas, and three in that of Santa Clara. And these are the most populous regions in the Island of Cuba.

As, on the other hand, the government of the metropolis appoints the officials of the colony, all the lucrative, influential, and representative offices are secured to the Spaniards from Europe. The Governor-General, the regional and provincial governors, the "intendentes," comptrollers, auditors, treasurers, chiefs of communications, chiefs of the custom-houses, chiefs of administration, presidents and vice-presidents of the Spanish bank, secretaries of the Government, presiding judges of the "audiencia," presidents of tribunal, magistrates, attorneys-general, archbishops, bishops, canons, pastors of rich parishes—all, with very rare exceptions, are Spaniards from Spain. The Cubans are found only as minor clerks in the Government offices, doing all the work and receiving the smallest salaries.

From 1878 to this date there have been twenty governors in the province of Matanzas. Eighteen were Spaniards and two Cubans. But one of these, Brigadier-General Acosta, was an army officer in the service of Spain, who had fought against his countrymen; and the other, Señor González Muñoz, is a bureaucrat. During the same period there has been only one native Cuban acting as governor in the province of Havana, Señor Rodríguez Batista, who spent all his life in Spain, where he made his administrative career. In the other provinces there has never, probably, been a single governor born in the country.

In 1887 there was created a council, or board of ultramar, under the minister of the colonies. Not a single Cuban has ever been found among its members. On the other hand, such men as Generals Armiñán and Pando have held positions in it.

The predominance of the Government goes further still. It weighs with all its might upon the local corporations. There are deputations in the provinces, and not only are their powers restricted and their resources scanty, but the Governor-General appoints their presidents and all the members of the permanent commissions. There are "ayuntamientos" elected in accordance with the reactionary law of 1877, restricted and curtailed as applied to Cuba by Señor Canovas. But the Governor-General appoints the mayors, who may not belong to the corporation, and the governor of the province appoints the secretaries. The Government reserves, moreover, the right to remove the mayors, of replacing them, and of suspending the councillors and the "ayuntamientos," partly or in a body. It has frequently made use of this right for electoral purposes, to the detriment always of the Cubans.

As may be seen, the crafty policy of Spain has closed every avenue through which redress might be obtained. All the powers are centered in the Government of Madrid and its delegates in the colony; and in order to give her despotism a slight varnish of a representative régime she has contrived with her laws to secure complaisant majorities in the pseudoelective bodies. To accomplish this purpose she has relied upon the European immigrants, who have always supported the Government of the metropolis in exchange for lasting privileges. The existence of a Spanish y, as that of an English party at one time in Canada, has been the foundation of



Spanish rule in Cuba. Thus, through the instrumentality of the laws and the Government, a régime of castes has been enthroned there, with its outcome of monopolies, corruption, immorality, and hatred. The political contest there, far from being the fruitful clash of opposite ideas, or the opposition of men representing different tendencies, but all seeking a social improvement, has been only a struggle between hostile factions—the conflict between infuriated foes which precedes an open war. The Spanish resident has always seen a threat in the most timid protest of the Cuban—an attack upon the privileged position on which his fortune, his influence, and his power are grounded, and he is always willing to stifle it with insult and persecution.

## II.

What use the Spanish Government has made of this power is apparent in the threefold spoliation to which it has submitted the Island of Cuba. Spain has not, in fact, a colonial policy. In the distant lands she has subdued by force Spain has sought nothing but immediate riches, and these it has wrung by might from the compulsory labor of the natives. For this reason Spain to-day in Cuba is only a parasite. Spain exploits the Island of Cuba through its fiscal régime, through its commercial régime, and through its bureaucratic régime. These are the three forms of official spoliation, but they are not the only forms of spoliation.

When the war of 1878 came to an end two-thirds of the island were completely ruined. The other third, the population of which had remained peaceful, was abundantly productive; but it had to face the great economical change involved in the impending abolition of slavery. Slavery had received its deathblow at the hands of the insurrection, and Cuban insurrectionists succeeded at the close of the war in securing its eventual abolition. Evidently it would have been a wholesome and provident policy to lighten the fiscal burdens of a country in such a condition. Spain was only bent on making Cuba pay the cost of the war. The metropolis overwhelmed the colony with enormous budgets, reaching as high a figure as \$46,000,000, and this only to cover the obligations of the state, or rather to fill the unfathomable gulf left by the wastefulness and plunder of the civil and military administration during the years of war, and to meet the expenses of the military occupation of the country. Here follow a few figures: The budget for the fiscal year of 1878 to 1879 amounted to \$46,594,000; that of 1879 to 1880 to an equal sum; that of 1882 to 1883 to \$35,860,000; that of 1883 to 1884 to \$31,180,000; that of 1884 to 1885 to the same sum; that of 1885 to 1886 to \$34,169,000. For the remaining years, to the present time, the amount of the budget has been about \$26,000,000, this being the figure for 1893 to 1894, and to be the same by prorogation for the current fiscal year.

The gradual reduction that may be noted was not the result of a desire to reduce the overwhelming burdens that weigh upon the country. It was imposed by necessity. Cuba was not able by far to meet such a monstrous exaction. It was a continuous and threatening deficit that imposed these reductions. In the first of the above-named years the revenue was \$8,000,000 short of the budget or appropriations. In the second year the deficit reached the sum of \$20,000,000. In 1883 it was nearly \$10,000,000. In the following years the deficits averaged nearly \$4,500,000. At present the accumulated amount of all these deficits reaches the sum of \$100,000,000.

As a consequence of such a reckless and senseless financial course, the debt of Cuba has been increased to a fabulous sum. In 1868 we owed \$25,000,000. When the present war broke out our debt, it was calculated, reached the net sum of \$190,000,000. On the 31st of July of the current year the Island of Cuba was reckoned to owe \$295,707,264 in bulk. Considering its population, the debt of Cuba exceeds that of all the other American countries, including the United States. The interest on this debt imposes a burden of \$9.79 on each inhabitant. The French people, the most overburdened in this respect, owe only \$6.30 per inhabitant.

This enormous debt, contracted and saddled upon the country without its knowledge; this heavy load that grinds it and does not permit its people to capitalize their income, to foster its improvements, or even to entertain its industries, constitutes one of the most iniquitous forms of spoliation the island has to bear. In it are included a debt of Spain to the United States; the expenses incurred by Spain when she occupied Santo Domingo; those for the invasion of Mexico in alliance with France and England; the expenditures for her hostilities against Peru; the money advanced to the Spanish treasury during its recent Carlist wars; and all that Spain has spent to uphold its domination in Cuba and to cover the lavish expenditures of its administration since 1868. Not a cent of this enormous sum has been spent in Cuba to advance the work of improvement and civilization. It has not contributed to build a single kilometer of highway or of railroad, nor to erect a single light-house or deepen a single port; it has not built one asylum or opened one public school. Such a heavy burden has been left to the future generations without a single compensation or benefit.

But the naked figures of the Cuban budgets and of the Cuban debt tell very little in regard to their true importance and significance as machines to squeeze out the

substance of a people's labor. It is necessary to examine closer the details of these accounts and expenditures.

Those of Cuba, according to the last budgets or appropriations, amount to \$26,411,-314, distributed as follows:

General obligations .....	\$12, 884, 549. 55
Department of justice (courts, etc.) .....	1, 006, 308. 51
Department of war .....	5, 918, 598. 16
Department of the treasury .....	727, 892. 45
Department of the navy .....	1, 091, 969. 65
Government, administration .....	4, 035, 071. 43
Interior improvements (fomento) .....	746, 925. 15

There are in Cuba 1,631,687 inhabitants according to the last census, that of 1887. That is to say, that this budget burdens them in the proportion of \$16.18 for each inhabitant. The Spaniards in Spain pay only — 42.06 pesetas per head. Reducing the Cuban dollars to pesetas at the exchange rate of \$95 for 500 pesetas, there results that the Cubans have to pay a tribute of 85.16 pesetas for each inhabitant; more than double the amount a Spaniard has to pay in his European country.

As shown above, most of this excessive burden is to cover entirely unproductive expenditures. The debt consumes 40.89 per cent of the total amount. The defense of the country against its own native inhabitants, the only enemies who threaten Spain, including the cost of the army, the navy, the civil guard, and the guardians of public order, takes 36.59 per cent. There remains for all the other expenditures required by civilized life 22.52 per cent.

And of this percentage the State reserves to us, what a liberality! 2.75 per cent to prepare for the future and develop the resources of the country!

Let us see now what Spain has done to permit at least the development of natural wealth and the industry of a country impoverished by this fiscal régime, the work of cupidity, incompetency, and immorality. Let us see whether that nation has left at least some vitality to Cuba, in order to continue exploiting it with some profit.

The economical organization of Cuba is of the simplest kind. It produces to export, and imports almost everything it consumes. In view of this, it is evident that all that Cuba required from the State was that it should not hamper its work with excessive burdens, nor hinder its commercial relations; so that it could buy cheap where it suited her and sell her products with profit. Spain has done all the contrary. She has treated the tobacco as an enemy; she has loaded the sugar with excessive imposts; she has shackled with excessive and abusive excise duties the cattle-raising industry; and with her legislative doings and undoings she has thrown obstacles in the way of the mining industry. And to cap the climax, she has tightly bound Cuba in the network of a monstrous tariff and a commercial legislation which subjects the colony, at the end of the nineteenth century, to the ruinous monopoly of the producers and merchants of certain regions of Spain, as in the halcyon days of the colonial compact.

The district which produces the best tobacco in the world, the famous Vuelta Abajo, lacks every means of transportation afforded by civilization to foster and increase the value of its products. No roads, no bridges, or even ports, are found there. The state in Cuba collects the taxes, but does not invest them for the benefit of any industry. On the other hand, those foreign countries desirous of acquiring the rich tobacco-raising industry have closed their markets to our privileged product by imposing upon it excessive import duties, while the Spanish Government burdens its exportation from our ports with a duty of \$1.80 on every thousand cigars. Is this not a stroke of actual insanity?

Everybody is aware of the tremendous crisis through which the sugar industry has been passing for some years, owing to the rapid development of the production of this article everywhere. Every Government has hastened to protect its own by more or less empirical measures. This is not the place to judge them. What is important is to recall the fact that they have endeavored to place the threatened industry in the best condition to withstand the competition. What has Spain done in order, if not to maintain the strong position held before by Cuba, at least to enable the colony to carry on the competition with its every day more formidable rivals? Spain pays bounties to the sugar produced within its own territory, and closes its markets to the Cuban sugar by imposing upon it an import duty of \$6.20 per hundred kilograms. It has been calculated that a hundredweight of Cuban sugar is overburdened when reaching the Barcelona market with 143 per cent of its value. The Spanish Government oppresses the Cuban producer with every kind of exactions; taxes the introduction of the machinery that is indispensable for the production of sugar, obstructs its transportation by imposing heavy taxes on the railroads, and winds up the work by exacting another contribution called "industrial duty," and still another for loading or shipping, which is equivalent to an export duty.

As a last stroke, Spain has reinforced the commercial laws of June 30 and July 20, 1882, virtually closing the ports of Cuba to foreign commerce, and establishing the

monopoly of the peninsular producers, without any compensation to the colony. The apparent object of these laws was to establish the "cabotaje" (coasting trade) between Cuba and Spain. By the former all the Cuban products were admitted free of duty in the Spanish Peninsula, excepting, however, the tobacco, rum, sugar, cocoa, and coffee, which remained temporarily burdened. By the latter the duties on the importations from Spain in Cuba were to be gradually reduced through a period of ten years, until, in 1892, they were entirely abolished. The result, however, has been that the temporary duties on the principal, almost the only, Cuban products have remained undisturbed until now, and the duties on the Spanish products have disappeared. The "cabotaje" (coasting trade) is carried on from Spain to Cuba, but not from Cuba to Spain. The Spanish products pay no duties in Cuba; the Cuban products pay heavy duties in Spain. As at the same time the differential tariffs which overburdened with excessive duties the foreign products have been retained, the unavoidable consequence has been to give the Cuban market entirely to the Peninsula producers. In order to have an idea as to how far the monopoly of Spain goes, it will be sufficient to point to the fact that the burdens which many of the foreign articles have to bear exceed 2,000 and even 2,300 per cent, as compared with those borne by the Spanish products. One hundred kilograms of cotton prints pay a duty, if Spanish, of \$26.65; if foreign, \$47.26. One hundred kilograms of knitted goods pay, if from Spain, \$10.95; if from a foreign country, \$195. One thousand kilograms of bags for sugar, when they are or are represented to be Spanish, pay \$4.69; if from other country, \$82.50. One hundred kilograms of cassimere, if it is a Spanish product, pay \$15.47; if foreign, \$300.

Still, if Spain was a flourishing industrial country, and produced the principal articles required by Cuba for the consumption of its people, or for developing and fostering its industries, the evil, although always great, would be a lesser one. But everybody knows the backwardness of the Spanish industries, and the inability of Spain to supply Cuba with the products she requires for her consumption and industries. The Cubans have to consume or use Spanish articles of inferior quality or pay exorbitant prices for foreign goods. The Spanish merchants have found, moreover, a new source of fraud in the application of these antiquated and iniquitous laws; it consists in nationalizing foreign products for importation into Cuba.

As the mainspring of this senseless commercial policy is to support the monopoly of Spanish commerce, when Spain has been compelled to deviate from it to a certain extent by an international treaty, it has done so reluctantly and in the anxious expectation of an opportunity to nullify its own promises. This explains the accidental history of the reciprocity treaty with the United States, which was received with joy by Cuba, obstructed by the Spanish administration, and prematurely abolished by the Spanish Government as soon as it saw an opportunity.

The injury done to Cuba, and the evil effects produced by this commercial legislation, are beyond calculation; its effects have been material losses which have engendered profound discontent. The "Circulo de Hacendados y Agricultores," the wealthiest corporation of the Island, last year passed judgment on these commercial laws in the following severe terms:

"It would be impossible to explain, should the attempt be made, what is the significance of the present commercial laws as regards any economical or political plan or system; because, economically, they aim at the destruction of public wealth, and, politically, they are the cause of inextinguishable discontent, and contain the germs of grave dissensions."

But Spain has not taken heed of this; her only care has been to keep the producers and merchants of such rebellious provinces as Catalonia contented, and to satisfy its military men and bureaucrats.

For the latter is reserved the best part of the booty taken from Cuba. High salaries and the power of extortion for the officeholders sent to the colony; regular tributes for the politicians who uphold them in the metropolis. The Governor-General is paid a salary of \$50,000, in addition to a palace, a country house as a summer resort, servants, coaches, and a fund for secret expenses at his disposal. The director-general of the treasury receives a salary of \$18,500. The archbishop of Santiago and the bishop of Havana, \$18,000 each. The commander-general of the "Apostadero" (naval station), \$16,392. The general segundo cabo (second in command of the Island), and the president of the "audiencia," \$15,000 each. The governor of Havana and the secretary of the General Government, \$8,000 each. The postmaster-general, \$5,000. The collector for the Havana custom-house, \$4,000. The manager of lotteries, the same salary. The chief clerks of administration of the first class receive \$5,000 each; those of the second class, \$4,000, and those of the third class, \$3,000 each. The major-generals are paid \$7,500; the brigadier-generals, \$4,500, and when in command, \$5,000; the colonels, \$3,450, and this salary is increased when they are in command of a regiment. The captains of "navío" (the largest men-of-war) receive \$6,300; the captains of frigate, \$4,560; the lieutenants of "navío" of the first class, \$3,370. All these functionaries are entitled to free lodgings and domestic serv-

ants. Then follows the numberless crowd of minor officials, all well provided for, and with great facilities better to provide for themselves.

At the office of the minister of "ultramar" (of the colonies), who resides in Madrid, and to whom \$96,800 a year are assigned from the treasury of Cuba—at that office begins the saturnalia in which the Spanish bureaucrats indulge with the riches of Cuba. Sometimes through incapacity, but more frequently for plunder, the money exacted from the Cuban taxpayers is unscrupulously and irresponsibly squandered. It has been demonstrated that the debt of Cuba has been increased in \$50,232,500 through Minister Fabié's incapacity. At the time this minister was in power the Spanish Bank disposed of twenty millions from the Cuban treasury, which were to be carried in account current at the disposal of the minister for the famous operation of withdrawing the paper currency. Cuba paid the interest on these millions, and continued paying it all the time they were utilized by the bank. Minister Romero Robledo took at one time (in 1892) \$1,000,000 belonging to the treasury of Cuba from the vaults of the Bank of Spain, and lent it to the Transatlantic Company, of which he was a stockholder. This was done in defiance of law and without any authorization whatever. The minister was threatened with prosecution, but he haughtily replied that, if prosecuted, all his predecessors from every political party would have to accompany him to the court. That threat came to nothing.

In June of 1890 there was a scandalous debate in the Spanish Cortes, in which some of the frauds committed upon the Cuban treasury were, not for the first time, brought to light. It was then made public that \$6,500,000 had been abstracted from the "caja de depósitos," notwithstanding that the safe was locked with three keys, and each one was in the possession of a different functionary. Then it was known that, under the pretext of false vouchers for transportation and fictitious bills for provisions, during the previous war, defalcations had been found afterwards amounting to \$22,811,516. In the month of March of the same year General Pando affirmed that the robberies committed through the issue of warrants by the "junta de la deuda" (board of public debt) exceeded the sum of \$12,000,000.

These are only a few of the most salient facts. The large number of millions mentioned above represent only an insignificant part of what a venal administration, sure of impunity, exacts from Cuban labor. The network of artful schemes to cheat the Cuban taxpayer and defraud the State covers everything. Falsification of documents, embezzlement of revenues, bargains with delinquent debtors, exaction of higher dues from inexperienced peasants, delays in the dispatch of judicial proceedings in order to obtain a more or less considerable gratuity; such are the artful means daily employed to empty the purse of the taxpayer and to divert the public funds into the pockets of the functionaries.

These disgraceful transactions have more than once been brought out to light; more than once have the prevaricators been pointed out. Is there any record of any of them having ever been punished?

In August of 1887 General Marin entered the custom-house of Havana at the head of a military force, besieged and occupied it, investigated the operations carried on there, and discharged every employee. The act caused a great stir, but not a single one of the officials was indicted or suffered a further punishment. There were, in 1891, 350 officials indicted in Cuba for committing fraud; not one of them was punished.

But how could they be punished? Every official who comes to Cuba has an influential patron in the court of Madrid for whose protection he pays with regularity. This is a public secret. General Salamanca gave it out in plain words, and before and after General Salamanca all Spain knew and knows it. The political leaders are well known who draw the highest income from the officeholders of Cuba, who are, as a matter of course, the most fervent advocates of the necessity of Spanish rule in Cuba. But Spanish bureaucracy is moreover so deep-rooted in Spain that it has succeeded in shielding itself even against the action of the courts of justice. There is a royal decree (that of 1882) in force in Cuba, which provides that the ordinary courts can not take cognizance of such offenses as defalcation, abstraction or misappropriation of public funds, forgery, etc., committed by officials of the administration, if their guilt is not first established by an administrative investigation. The administration is, therefore, its own judge. What further security does the corrupt officeholder need?

### III.

We have shown that notwithstanding the promises of Spain and the ostensible changes introduced in the government of Cuba since 1878, the Spaniards from Europe have governed and ruled exclusively in Cuba, and have continued exploiting it until they have ruined the country. Can this tyrannical system be justified by any kind of benefits that might compensate for the deprivation of actual power of which the natives of the colony complain? More than one despotic government has tried to justify itself with the material prosperity it has fostered, or with the safety it has

secured to its citizens, or with the liberty it has given to certain manifestations of civilized life. Let us see whether the Cubans are indebted to the iron government of Spain for any of these compensating blessings.

Personal safety is a myth among us. Outlaws, as well as men of law, have disposed at will of the property, the peace, and the life of the inhabitants of Cuba. The civil guard (armed police), far from being the guardians, have been the terror of the Cuban peasants. Wherever they pass they cause an alarm by the brutal ill treatment to which they submit the inhabitants, who in many cases fly from their homes at their approach. Under the most trifling pretext they beat unmercifully the defenseless countrymen, and very frequently they have killed those they were conveying under arrest. These outrages became so notorious that the commander in chief of the civil guard, Brigadier-General Denis, had to issue a circular in which he declared that his subordinates, "under pretext of obtaining confidential information, resorted to violent measures," and that "the cases are very frequent in which individuals arrested by forces of the corps attempt to escape, and the keepers find themselves in the necessity of making use of their weapons." What the above declarations signify is evident, notwithstanding the euphemisms of the official language. The object of this circular was to put a stop to these excesses; it bears the date of 1883. But the state of things continued the same. In 1886 the watering place of Madruga, one of the most frequented summer resorts in the island, witnessed the outrageous attacks of Lieutenant Sainz. In 1887 occurred the stirring trial of the "componte," occasioned by the application of torture to the brothers Aruca, and within a few days were recorded in the neighborhood of Havana the cases of Señor Riveron, who was stabbed in Govea by individuals of the public force; of Don Manuel Martínez Moran and Don Francisco Galatena, who were beaten, the former in Calabazar, and the latter in Yaguajay; of Don José Felipe Canosa, who narrowly escaped being murdered in San Nicolas, and of a resident of Ceiba Mocha, whom the civil guard drove from his home.

This was far from the worst. In the very center of Havana, in the Camp de Marte, a prisoner was killed by his guards, and the shooting at Amarillas and the murders at Puentes Grandes and Alquizar are deeds of woful fame in the country. The administration of General Prendergast has left a sorrowful recollection for the frequency with which prisoners who attempted to escape were shot down.

While the armed police force were beating and murdering peaceful inhabitants, the highwaymen were allowed to escape unscathed to devastate the country at their pleasure. Although three millions are assigned in the budget to the service of public safety, there are districts, such as the Province of Puerto Príncipe, where its inhabitants have had to arm themselves and undertake the pursuit of the bandits. The case has occurred of an army of 5,000 or 6,000 troops being sent to pursue a handful of highwaymen within a small territory without succeeding in capturing them. Meanwhile a special bureau was established in Havana for the prosecution of highwaymen, and fabulous sums were spent by it. The best the Government succeeded in doing was to bargain with a bandit, and deceive and kill him afterwards on board the steamer *Baldomero Iglesias* in the bay of Havana.

Nevertheless, the existence of highwaymen has served as a pretext to curtail the jurisdiction of the ordinary courts and submit the Cubans to the jurisdiction of the courts-martial, contrary to the constitution of the state, which had already been proclaimed. In fact, the code of military laws (*código de justicia militar*) provides that the offenses against persons and the means of transportation, as well as arson, when committed in the provinces of ultramar (the colonies) and the possessions of Africa and Oceania, be tried by court-martial.

It is true, however, than an explicit legal text was not necessary for the Government to nullify the precepts of the constitution. This was promulgated in Cuba, with a preamble providing that the Governor-General and his delegates should retain the same powers they had before its promulgation. The banishment of Cubans have continued after as before said promulgation. In December of 1891 there was a strike of wharf laborers in the Province of Santa Clara. To end it the governor captured the strikers and banished them en masse to the Island of Pinos.

The deportations for political offenses have not been discontinued in Cuba, and although it is stated that no executions for political offenses have taken place since 1878, it is because the Government has resorted to the more simple expedient of assassination. General Polavieja has declared with utmost coolness that in December of 1880 he had 265 persons seized in Cuba, Palma, San Luis, Songo, Guantánamo, and Sagua de Tánamo, and transported the same day and at the same hour to the African Island of Fernando Po. At the close of the insurrection of 1879-80 it was a frequent occurrence for the Government to send to the penal colonies of Africa the Cubans who had capitulated. The treachery of which Gen. José Maceo was a victim carries us to the darkest times of the war of Flanders and the conquest of America.

Cuba recalls with horror the dreadful assassination of Brig. Gen. Arcadio Leyte Vidal, perpetrated in the Bay of Nipe in September of 1879. War had just broken

out anew in the eastern department. Brig. Gen. Leyte Vidal resided in Mayari, assured by the solemn promise of the Spanish commander in chief of that zone that he would not be molested. One month had not elapsed since the uprising, however, when having gone to Nipe, he was invited by the commander of the gunboat *Alarma* to take dinner on board. Leyte Vidal went on board the gunboat, but never returned. He was strangled in a boat by three sailors, and his corpse was cast into the sea. This villainous deed was committed in compliance with an order from the Spanish general, Polavieja. Francisco Leyte Vidal, a cousin to Arcadio, miraculously escaped the same tragic fate.

The mysterious deaths of Cubans who had capitulated long before have been frequent in Cuba. To one of these deaths was due the uprising of Tunas de Bayamo in 1879.

If the personal safety of the Cubans, in a period which the Spaniards would depict with brilliant colors, continues at the mercy of their rulers, who are aliens in the country both by birth and in ideas, have the Cubans' honor and property any better safeguard? Is the administration of justice good, or even endurable? The very idea of a lawsuit frightens every honest Cuban. Nobody trusts the honesty or independence of the judges. Despite the provisions of the constitution, without warrant and for indefinite time, imprisonments are most common in Cuba. The magistrates can tighten or loosen the elastic meshes of the judicial proceedings. They know well that if they curry favor with the Government they can do anything without incurring responsibility. They consider themselves, and without thinking it a disgrace, as mere political tools. The presidents and attorneys-general of the "audiencias" receive their instructions at the captain-general's office. Twice have the governors of Cuba aimed at establishing a special tribunal to deal with the offenses of the press, thereby undermining the constitution. Twice has this special tribunal been established. More than once has a straightforward and impartial judge been found to try a case in which the interests of influential people were involved. On such occasions the straightforward judge has been replaced by a special judge.

In a country where money is wastefully spent to support a civil and military bureaucracy the appropriation for the administration of justice does not reach \$500,000. On the other hand, the sales of stamped paper constitute a revenue of \$750,000. Thus the State derives a pecuniary profit from its administration of justice.

Is it, then, a wonder that the reforms that have been attempted by establishing lower and higher courts to take cognizance of criminal cases, and by introducing oral and public trials should not have contributed in the least to improve the administration of justice? Onerous services have been exacted from people without proper compensation as gratuitous services. The Government, so splendidly liberal when its own expenses are in question, haggles for the last cent when dealing with truly useful and reproductive services.

Is the Cuban compensated for his absolute deprivation of political power, the fiscal extortions, and the monstrous deficiencies of judicial administration by the material prosperity of his country? No man acquainted with the intimate relations which exist between the fiscal régime of a country and its economical system will believe that Cuba, crushed as it is, by unreasonable budgets and an enormous debt, can be rich. The income of Cuba in the most prosperous times has been calculated at \$80,000,000. The state, provincial, and municipal charges take much more than 40 per cent of this amount. This fact explains itself. We need not draw any inferences therefrom. Let us confine ourselves to casting a glance over the aspect presented by the agricultural, industrial, and real estate interests in Cuba at the beginning of the present year.

Despite the prodigious efforts made by private individuals to extend the cultivation of the sugar cane and to raise the sugar-making industry to the plane it has reached, both the colonists and the proprietors of the sugar plantations and the sugar mills (centrales) are on the brink of bankruptcy and ruin. In selling the output they knew that they would not get sufficient means to cover the cost of keeping and repairing their colonies and sugar mills. There is not a single agricultural bank in Cuba. The "hacendado" (planter, landowner) had to recur to usurious loans and to pay 18 and 20 per cent for the sums which they borrowed. Not long ago there existed in Havana the Spanish Bank, the Bank of Commerce, the Industrial Bank, the Bank of St. Joseph, the Bank of the Alliance, the Bank of Maritime Insurances, and the Savings Bank. Of these there remain to-day only the Spanish Bank, which has been converted into a vast State office, and the Bank of Commerce, which owes its existence to the railways and warehouses it possesses. None of these give any aid to the sugar industry.

The cigar-making industry, which was in such flourishing condition a short time ago, has fallen so low that fears are entertained that it may emigrate entirely from Cuba. The weekly *El Tabaco* came to the conclusion that the exportation of cigars from Cuba would cease entirely within six years. From 1889 to 1894 the exportation from the port of Havana had decreased by 116,200,000 cigars.

City real estate has fallen to one-half and in some cases to one-third the value it had before 1884. A building in Havana which was erected at a cost of \$600,000 was sold in 1893 for \$120,000.

Stocks and bonds tell the same story. Almost all of them are quoted in Havana with heavy discounts.

The cause of the ruin of Cuba, despite her sugar output of 1,000,000 tons and her vast tobacco fields, can be easily explained. Cuba does not capitalize, and it does not capitalize because the fiscal régime imposed upon the country does not permit it. The money derived from its large exportations does not return either in the form of importations of goods or of cash. It remains abroad to pay the interest of its huge debt, to cover the incessant remittances of funds by the Spaniards who hasten to send their earnings out of the country, to pay from our treasury the pensioners who live in Spain, and to meet the drafts forwarded by every mail from Cuba by the Spaniards as a tribute to their political patrons in the metropolis, and to help their families.

Cuba pays \$2,192,795 in pensions to those on the retired list and to superannuated officials not in service. Most of this money is exported. The first chapters of the Cuban budget imply the exportation of over \$10,600,000. Cuba pays a subsidy of \$471,836.68 to the Transatlantic Company. It would be impossible to calculate the amount of money taken out of Cuba by private individuals; but this constant exportation of capital signifies that nobody is contented in Cuba and that everybody mistrusts its future. The consequence is that notwithstanding the apparently favorable commercial balance exchange is constantly and to a high degree against Cuba.

On the other hand, if Cuba labors and strives to be on the same plane as its most progressive competitors, this is the work of her own people, who do not mind any sacrifices; but the Government cares little or nothing about securing to the country such means of furthering its development as are consigned in the budget under the head of "Fomento."

And now, at the outbreak of the present war, Spain finds that, although the appropriations consigned to our budgets since 1878 amount to nearly \$500,000,000, not a single military road has been built, no fortifications, no hospitals, and there is no material of war. The State has not provided even for its own defense. In view of this fact, nobody will be surprised to hear that a country 670 kilometers long, with an area of 118,833 square kilometers, has only 246 lineal kilometers of high roads, and these almost exclusively in the province of Havana. In that of Santiago de Cuba there are 9 kilometers; in Puerto Principe and Las Villas not a single one. Cuba has 3,506 kilometers of seashore and 54 ports; only 15 of these are open to commerce. In the labyrinth of keys, sand banks, and breakers adjacent to our coasts there are only 19 light-houses of all classes. Many of our ports, some of the best among them, are filling up. The coasting steamers can hardly pass the bars at the entrance of the ports of Nuevitas, Gibara, Baracoa, and Santiago de Cuba. Private parties have sometimes been willing to remedy these evils; but then the central administration has interfered, and after years of red tape things have remained worse than before. In the course of twenty-eight years only 139 kilometers of high-roads were built in Cuba; 2 first-class light-houses were erected, 3 of the second class, and 1 of the fourth class, 3 beacon lights and 2 port lights; 246 meters of wharf were built, and a few ports were superficially cleaned and their shoals marked. This was all. On the other hand, the department of public works consumes unlimited millions in salaries and in repairs.

The neglect of public hygiene in Cuba is proverbial. The technical commission sent by the United States to Havana to study the yellow fever declared that the port of the capital of Cuba, owing to the inconceivable filth, is a permanent source of infection, against which it is necessary to take precautions. There is in Havana, however a "junta de puerto" (board of port wardens) which collects dues and spends them with the same munificence as the other bureaucratic centers.

Does the Government favor us more in the matter of education? It will suffice to state that only \$182,000 are assigned to public instruction in our splendid budget. And it may be proved that the University of Havana is a source of pecuniary profit to the State. On the other hand, this institution is without laboratories, instruments, and even without water to carry on experiments. All the countries of America, excepting Bolivia, all of them, including Haiti, Jamaica, Trinidad, and Guadalupe, where the colored race predominates, spend a great deal more than the Cuban Government for the education of the people. On the other hand, only Chile spends as much as Cuba for the support of an army. In view of this it is easily explained why 76 per cent of such an intelligent and wide-awake people as that of Cuba can not read and write. The most necessary instruction among us, the technical and industrial, does not exist. The careers and professions most needed by modern civilization are not cultivated in Cuba. In order to become a topographer, a scientific agriculturist, an electrician, an industrial or mechanical engineer, a railroad or mining engineer, the Cuban has to go to a foreign country. The State in Cuba does not support a single public library.

Are the deficiencies of the Spanish régime compensated by the wisdom of its administration? Every time the Spanish Government has undertaken the solution of any of the great problems pending in Cuba it has only confused and made it worse. It has solved it blindly or yielded to the influence of those who were to profit by the change. It will be sufficient to recall the withdrawal from circulation of the bank notes, which proved to be a highly lucrative transaction for a few persons, but which only embarrassed and impaired the monetary circulation of the island. From one day to another the cost of living became 40 per cent dearer. The depreciated Spanish silver entered in circulation to drive out, as was natural, the "centen" (five-dollar gold coin) and make small transactions difficult. To reach these results the Spanish Government had transformed a debt on which it had no interest to pay into a debt bearing a high rate of interest. It is true that, in exchange, all the retail dealers whose votes it was desirable to keep derived very large profits from the operation. These dealers are, of course, Spaniards.

#### IV.

In exchange for all that Spain withholds from us they say that it has given us liberties. This is a mockery. The liberties are written in the constitution but obliterated in its practical application. Before and after its promulgation the public press has been rigorously persecuted in Cuba. Many journalists, such as Señores Cepeda and López Briñas, have been banished from the country without the formality of a trial. In November of 1891 the writer Don Manuel A. Balmaseda was tried by court-martial for having published an editorial paragraph in *El Criterio Popular*, of Remedios, relative to the shooting of the medical students. The newspapers have been allowed to discuss public affairs theoretically; but the moment they denounce any abuse or the conduct of any official they feel the hand of their rulers laid upon them. The official organ of the home-rule party, *El País*, named before *El Triunfo*, has undergone more than one trial for having pointed in measured terms to some infractions of the law on the part of officials, naming the transgressors. In 1887 that periodical was subjected to criminal proceedings simply because it had stated that a son of the president of the Havana "audiencia" was holding a certain office contrary to law.

They say that in Cuba the people are at liberty to hold public meetings, but every time the inhabitants assemble, previous notification must be given to the authorities, and a functionary is appointed to be present, with power to suspend the meeting whenever he deems such a measure advisable. The meetings of the "Círculo de Trabajadores" (an association of workmen) were forbidden by the authorities under the pretext that the building where they were to be held was not sufficiently safe. Last year the members of the "Círculo de Hacendados" (association of planters) invited their fellow-members throughout the country to get up a great demonstration to demand a remedy which the critical state of their affairs required. The Government found means to prevent their meeting. One of the most significant events that have occurred in Cuba, and one which throws a flood of light upon its political régime, was the failure of the "Junta Magna" (an extraordinary meeting) projected by the "Círculo de Hacendados." This corporation solicited the co-operation of the "Sociedad Económica" and of the "Junta General de Comercio" to hold a meeting for the purpose of sending to the metropolis the complaints which the precarious situation of the country inspired. The work of preparation was already far advanced when a friend of the Government, Señor Rodríguez Correa, stated that the Governor-General looked with displeasure upon and forbade the holding of the great meeting. This was sufficient to frighten the "Círculo" and to secure the failure of the project. It is then evident that the inhabitants of Cuba can have meetings only when the Government thinks it advisable to permit them.

Against this political régime, which is a sarcasm and in which deception is added to the most absolute contempt for right, the Cubans have unceasingly protested since it was implanted in 1878. It would be difficult to enumerate the representations made in Spain, the protests voiced by the representatives of Cuba, the commissions that have crossed the ocean to try to impress upon the exploiters of Cuba what the fatal consequences of their obstinacy would be. The exasperation prevailing in the country was such that the "junta central" of the home-rule party issued in 1892 a manifesto in which it foreshadowed that the moment might shortly arrive when the country would resort to "extreme measures, the responsibility of which would fall on those who, led by arrogance and priding themselves on their power, hold prudence in contempt, worship force, and shield themselves with their impunity."

This manifesto, which foreboded the mournful hours of the present war, was unheeded by Spain, and not until a division took place in the Spanish party, which threatened to turn into an armed struggle, did the statesmen of Spain think that the moment had arrived to try a new farce, and to make a false show of reform in the administrative régime of Cuba. Then was Minister Maura's plan broached, to be modified before its birth by Minister Abarzuas.



This project, to which the Spaniards have endeavored to give capital importance in order to condemn the revolution as the work of impatience and anarchism, leaves intact the political régime of Cuba. It does not alter the electoral law. It does not curtail the power of the bureaucracy. It increases the power of the general Government. It leaves the same burdens upon the Cuban taxpayer, and does not give him the right to participate in the information of the budgets. The reform is confined to the changing of the council of administration (now in existence in the island, and the members of which are appointed by the Government) into a partially elective body. One-half of its members are to be appointed by the Government and the other half to be elected by the qualified electors—that is, who assessed and pay for a certain amount of taxes. The Governor-General has the right to veto all its resolutions and to suspend at will the elective members. This council is to make up a kind of special budget embracing the items included now in the general budget of Cuba under the head of "Fomento." The State reserves for itself all the rest. Thus the council can dispose of 2.75 per cent of the revenues of Cuba, while the Government distributes, as at present, 97.25 per cent for its expenses, in the form we have explained. The general budget will, as heretofore, be made up in Spain; the tariff laws will be enacted by Spain. The debt, militarism, and bureaucracy will continue to devour Cuba, and the Cubans will continue to be treated as a subjugated people. All power is to continue in the hands of the Spanish Government and its delegates in Cuba, and all the influence with the Spanish residents. This is the self-government which Spain has promised to Cuba, and which it is announcing to the world, in exchange for its colonial system. A far better form of government is enjoyed by the Bahama or the Turks islands.

The Cubans would have been wanting not only in self-respect but even in the instincts of self-preservation if they could have endured such a degrading and destructive régime. Their grievances are of such a nature that no people, no human community capable of valuing its honor and of aspiring to better its condition, could bear them without degrading and condemning itself to utter nullity and annihilation.

Spain denies to the Cubans all effective powers in their own country.

Spain condemns the Cubans to a political inferiority in the land where they are born.

Spain confiscates the product of the Cuban's labor without giving them in return either safety, prosperity, or education.

Spain has shown itself utterly incapable of governing Cuba.

Spain exploits, impoverishes, and demoralizes Cuba.

To maintain by force of arms this monstrous régime, which brings ruin on a country rich by nature and degrades a vigorous and intelligent population, a population filled with noble aspirations, is what Spain calls to defend its honor and preserve the prestige of its social functions as a civilizing power of America.

The Cubans, not in anger but in despair, have appealed to arms in order to defend their rights and to vindicate an eternal principle, a principle without which every community, however robust in appearance, is in danger—the principle of justice. Nobody has the right of oppression. Spain oppresses us. In rebelling against oppression we defend a right. In serving our own cause we serve the cause of mankind.

We have not counted the number of our enemies; we have not measured their strength. We have cast up the account of our grievances; we have weighed the mass of injustice that crushes us, and with uplifted hearts we have risen to seek redress and to uphold our rights. We may find ruin and death a few steps ahead. So be it. We do our duty. If the world is indifferent to our cause, so much the worse for all. A new iniquity shall have been consummated. The principle of human solidarity shall have suffered a defeat. The sum of good existing in the world, and which the world needs to purify its moral atmosphere, shall have been lessened.

The people of Cuba require only liberty and independence to become a factor of prosperity and progress in the community of civilized nations. At present Cuba is a factor of intransquillity, disturbance, and ruin. The fault lies entirely with Spain. Cuba is not the offender; it is the defender of its rights. Let America, let the world decide where rest justice and right.

ENRIQUE JOSÉ VARONA,  
*Ex-Diputado a Cortes.*

NEW YORK, October 23, 1895.

## B.

COMPILATION OF THE LAWS, RULES, DECREES, CIRCULARS, AND OTHER ORDERS PASSED BY THE NATIONAL COUNCIL FROM THE 19TH OF SEPTEMBER, 1895, THE DATE ON WHICH IT COMMENCED TO EXERCISE ITS FUNCTIONS.

## MANGOS DE BARAGUA.

The National Council, in a meeting held on the 16th of October, 1895, resolved that the publication in book form in an edition of 500 copies of all the laws, rules, decrees, and other orders passed by it be printed after being previously approved by the Council and sanctioned by its president.

JOSÉ CLEMENTE VIVANCO,  
*The Secretary of the Council.*

## CONSTITUENT ASSEMBLY, REPUBLIC OF CUBA.

I, José Clemente Vivanco, secretary of the National Council and chancellor of the Republic of Cuba, certify that the representatives of the different army corps, into which the army of liberation is divided, met in constituent assembly on the 13th day of September, 1895, at Jimaguayú, agreed to have a preliminary session where the character of each representative would be accredited by the respective credential of his appointment. There resulted, after the proper examination by the chairman and secretaries, who were temporarily Citizens Salvador Cisneros Betancourt and Secretaries José Clemente Vivanco and Orencio Nodarse, the following distribution:

Representatives of the First Army Corps, Citizens Dr. Joaquin Castillo Duany, Mariano Sanchez Vaillant, Rafael M. Portuondo, and Pedro Aguilera.

For the Second, Citizens Licentiate Rafael Manduley, Enrique Cespedes, Rafael Perez Morales, and Marcos Padilla.

For the Third, Citizens Salvador Cisneros Betancourt, Lopez Recio Loinaz, Enrique Loinaz del Castillo, and Dr. Fermín Valdes Dominguez.

For the Fourth, Licentiate Severo Pina, Dr. Santiago Garcia Canizares, Raimundo Sanchez Valdivia, and Francisco Lopez Leiba.

For the Fifth, Dr. Pedro Pinan de Villegas, Licentiate José Clemente Vivanco, Francisco Diaz Silveria, and Orencio Nodarse.

They proceeded to the election of officers for the following session and the following appointments were made: Salvador Cisneros Betancourt, president; Rafael Manduley, vice-president; secretaries, Licentiate José Clemente Vivanco, Francisco Lopez Leiba, Licentiate Rafael M. Portuondo, and Orencio Nodarse.

The assembly having been organized as above, and in the presence of the above representatives, they proceeded to hold the sessions to discuss the constitution which is to rule the destinies of the Republic. These sessions took place on September 13, 14, 15, and 16, instant, and in all the articles which were to form the said constitutional charta were discussed. Every article of the projected constitution presented to the assembly by the representatives licentiate, Rafael M. Portuondo, Dr. Joaquin Castillo Duany, Mariano Sanchez Vaillant, and Pedro Aguilera, was well discussed, and, together with amendments, reforms, and additions were also discussed by the proposers. On deliberation, in conformity with the opinion of the assembly, it was unanimously resolved to refer the said constitution, with the resolutions of the said assembly, to a committee of revision of the text, composed of the secretaries and of the representatives, Dr. Santiago Garcia, Canizares and Enrique Loinaz del Castillo, who, after complying with their mission, returned the final draft of the constitution on the 16th. It was then read, and the signature of each and every representative subscribed.

The president and other members of the assembly, with due solemnity, then swore upon their honor to loyally and strictly observe the fundamental code of the Republic of Cuba, which was greeted by the spontaneous and enthusiastic acclamations of all present; in testimony of which are the minutes in the general archive of the Government.

In compliance with the resolution passed by this council in a meeting held to-day, and for its publication, I issue the following copy, in the Mangos de Baragua on the 18th of October, 1895.

JOSÉ CLEMENTE VIVANCO,  
*Secretary of the Council.*

CONSTITUTION OF THE PROVISIONAL GOVERNMENT OF CUBA.

The revolution for the independence and creation in Cuba of a democratic Republic in its new period of war, initiated on February 24 last, solemnly declares the separation of Cuba from the Spanish monarchy, and its constitution as a free and independent State, with its own Government and supreme authority under the name of the Republic of Cuba and confirms its existence among the political divisions of the world.

The elected representatives of the revolution, in convention assembled, acting in its name and by the delegation which for that purpose has been conferred upon them by the Cubans in arms, and previously declaring before the country the purity of their thoughts, their freedom from violence, anger, or prejudice, and inspired only by the desire of interpreting the popular voice in favor of Cuba, have now formed a compact between Cuba and the world, pledging their honor for the fulfillment of said compact in the following articles of the constitution:

ARTICLE I. The supreme powers of the Republic shall be vested in a government council composed of a president, vice-president, and four secretaries of state, for the dispatch of the business of war, of the interior, of foreign affairs, and of the treasury.

ART. II. Every secretary shall have a subsecretary of state, in order to supply any vacancies.

ART. III. The government council shall have the following powers:

1. To dictate all measures relative to the civil and political life of the revolution.
2. To impose and collect taxes, to contract public loans, to issue paper money, to invest the funds collected in the island, from whatever source, and also those which may be raised abroad by loan.

3. To arm vessels, to raise and maintain troops, to declare reprisals with respect to the enemy, and to ratify treaties.

4. To grant authority, when it is deemed convenient, to order the trial by the judicial power of the president or other members of the council, if he be accused.

5. To decide all matters, of whatsoever description, which may be brought before them by any citizen, except those judicial in character.

6. To approve the law of military organization and the ordinances of the army, which may be proposed by the general in chief.

7. To grant military commissions from that of colonel upward, previously hearing and considering the reports of the immediate superior officer and of the general in chief, and to designate the appointment of the latter and of the lieutenant-general in case of the vacancy of either.

8. To order the election of four representatives for each army corps whenever in conformity with this constitution it may be necessary to convene an assembly.

ART. IV. The Government council shall intervene in the direction of military operations only when in their judgment it shall be absolutely necessary to do so to realize high political ends.

ART. V. As a requisite for the validity of the decrees of the council, at least two-thirds of the members of the same must have taken part in the deliberations of the council, and the decrees must have been voted by the majority of those present.

ART. VI. The office of counselor is incompatible with any other of the Republic, and requires the age of twenty-five years.

ART. VII. The executive power is vested in the president, and, in case of disability, in the vice-president.

ART. VIII. The resolutions of the government council shall be sanctioned and promulgated by the president, who shall take all necessary steps for their execution within ten days.

ART. IX. The president may enter into treaties with the ratification of the government council.

ART. X. The president shall receive all diplomatic representatives and issue the respective commissions to the public functionaries.

ART. XI. The treaty of peace with Spain, which must necessarily have for its basis the absolute independence of the Island of Cuba, must be ratified by the government council and by an assembly of representatives convened expressly for this purpose.

ART. XII. The vice-president shall substitute the president in the case of a vacancy.

ART. XIII. In case of the vacancy in the offices of both president and vice-president on account of resignation, deposition, or death of both, or from any other cause, an assembly of representatives for the election to the vacant offices shall be convened, the senior secretaries in the meanwhile occupying the positions.

ART. XIV. The secretaries shall have voice and vote in the deliberations of resolutions of whatever nature.

ART. XV. The secretaries shall have the right to appoint all the employees of their respective offices.

ART. XVI. The subsecretaries in cases of vacancy shall substitute the secretaries of state and shall then have voice and vote in the deliberations.

ART. XVII. All the armed forces of the Republic and the direction of the military operations shall be under the control of the general in chief, who shall have under his orders as second in command a lieutenant-general, who will substitute him in case of vacancy.

ART. XVIII. All public functionaries of whatever class shall aid one another in the execution of the resolutions of the government council.

ART. XIX. All Cubans are bound to serve the revolution with their persons and interests, each one according to his ability.

ART. XX. The plantations and property of whatever description belonging to foreigners are subject to the payment of taxes for the revolution while their respective governments do not recognize the rights of belligerency of Cuba.

ART. XXI. All debts and obligations contracted since the beginning of the present period of war until the promulgation of this constitution by the chiefs of the army corps, for the benefit of the revolution, shall be valid as well as those which henceforth the government council may contract.

ART. XXII. A government council may depose any of its members for cause justifiable in the judgment of two-thirds of the councilors and shall report to the first assembly convening.

ART. XXIII. The judicial power shall act with entire independence of all the others. Its organization and regulation will be provided for by the government council.

ART. XXIV. The present constitution shall be in force in Cuba for two years from the date of its promulgation, unless the war for independence shall terminate before. After the expiration of the two years an assembly of representatives shall be convened which may modify it, and will proceed to the election of a new government council, and which will pass upon the last council. So it has been agreed upon and resolved in the name of the Republic by the constituent assembly in Jimaguayu on the 18th day of September, 1895, and in witness thereof we, the representatives delegated by the Cuban people in arms, signed the present instrument. Salvador Cisneros, president; Rafael Manduley, vice-president; Pedro Pinan de Villegas, Lope Recio, Fermin Valdes Dominguez, Francisco Diaz Silveira, Dr. Santiago Garcia, Rafael Perez, F. Lopez Leyva, Enrique Céspedes, Marcos Padilla, Raimundo Sanchez, J. D. Castillo, Mariano Sanchez, Pedro Aguilera, Rafael M. Pontuondo, Orenicio Nodarse, José Clemente Vivanco, Enrique Loynaz Del Castillo, Severo Pina.

#### ELECTION OF GOVERNMENT.

The constituent assembly met again on the 18th of the said month and year, all the said representatives being present. They proceeded to the election of members who are to occupy the offices of the Government council, the general-in-chief of the army of liberation, the lieutenant-general, and the diplomatic agent abroad. The secret voting commenced, each representative depositing his ballot in the urn placed on the chairman's table, after which the count was proceeded with, the following being the result:

President: Salvador Cisneros, 12; Bartolome Maso, 8.

Vice-president: Bartolome Maso, 12; Salvador Cisneros, 8.

Secretary of war: Carlos Roloff, 18; Lope Recio Loinaz, 1; Rafael Manduley, 1.

Secretary of the treasury: Severo Pina, 19; Rafael Manduley, 1.

Secretary of the interior: Dr. Santiago Garcia Canizares, 19; Carlos Dubois, 1.

Secretary of the foreign relations: Rafael Portuondo, 18; Armando Menocal, 1, blank, 1.

Subsecretary of war: Mario Menocal, 18; Francisco Diaz Silveira, 1; blank, 1.

Subsecretary of the treasury: Dr. Joaquin Castillo, 7; Francisco Diaz Silveira, 5; José C. Vivanco, 3; Armando Menocal, 3; Carlos Dubois, 1; blank, 1.

Subsecretary of the interior: Carlos Dubois, 13; Orenicio Nodarse, 5; Armando Menocal, 1; blank, 1.

Subsecretary of foreign relations: Fermin Valdes Dominguez, 18; Rafael Manduley, 1; blank, 1.

Therefore, the following were elected by a majority of votes:

President, Salvador Cisneros; vice-president, Bartolome Maso; secretary of war, Carlos Roloff; secretary of the treasury, Severo Pina; secretary of the interior, Dr. Santiago Garcia Canizares; secretary of foreign relations, Rafael M. Portuondo; subsecretary of war, Mario Menocal; subsecretary of the treasury, Dr. Joaquin Castillo; subsecretary of the interior, Carlos Dubois; subsecretary of foreign relations, Dr. Fermin Valdes Dominguez.

The vice-president of the assembly immediately installed the president in the office of the government council that had been conferred upon him; the latter in turn installed those of the other members elected, who were present, all entering on the full exercise of their functions after previously taking the oath.

On proceeding to the election of those who were to occupy the positions of general in chief of the army, lieutenant-general, and diplomatic agent abroad, the

following citizens were unanimously elected by the assembly for the respective places: Major-General Maximo Gomez, Major-General Antonio Maceo, and Citizen Tomas Estrada Palma. All these appointments being recognized from that moment.

LAWS FOR THE CIVIL GOVERNMENT AND ADMINISTRATION OF THE REPUBLIC.

CHAPTER I.—TERRITORIAL DIVISION.

ARTICLE I. The Republic of Cuba comprises the territory occupied by the Island of Cuba from Cape San Antonio to Point Maisi and the adjacent islands and keys.

ART. II. This territory shall be divided into four portions, or states, which will be called Oriente, Camaguey, Las Villas or Cabanacan, and Occidente.

ART. III. The State of Oriente includes the territory from the Point Maisi to Port Manati and the river Jobabo in all its course.

ART. IV. The State of Camaguey includes all the territory from the boundary of Oriente to the line which starts in the north from Laguna Blanca through the Esteros to Moron, passing by Ciego de Avila, follows the military trocha to El Jucaro in the southern coast, it being understood that the towns of Moron and Ciego de Avila belong to this State.

ART. V. The State of Las Villas has for boundary on the east Camaguey, on the west the river Palmas, Palmillas, Santa Rosa, Rodas, the Hannabana River, and the bay of Cochinos.

ART. VI. The State of Occidente is bordered on the Las Villas, extending to the west to Cape San Antonio.

ART VII. The islands and adjacent keys will form part of the states to which they geographically belong.

ART. VIII. The State of Oriente will be divided into ten districts, which shall be as follows: Baracoa, Guantanamo, Sagua de Tanamo, Mayari, Santiago, Jiguani, Manzanillo, Bayamo, and Tunas.

Camaguey comprises two—the eastern district and the western district.

Las Villas comprises seven—Sancti-Espiritus, Trinidad, Remedios, Santa Clara, Sagua, Cienfuegos, and Colon.

That of Occidente comprises sixteen—Cardenas, Matanzas, Union, Jaruco, Guines, Santa Maria del Rosario, Guanabacoa, Habana, Santiago de las Vegas, Bejuocal, San Antonio, Bahia Honda, Pina del Rio, and Mantua.

ART. IX. Each of these districts will be divided into prefectures, and these in their turn into as many subprefectures as may be considered necessary.

ART. X. For the vigilance of the coasts there will be inspectors and watchmen appointed in each State according to the extent of the coasts and the number of ports, bays, gulfs, and salt works that there may be.

ART. XI. On establishing the limits of the districts and prefectures, the direction of the coast, rivers, and other natural boundaries shall be kept in mind.

CHAPTER II.—OF THE GOVERNMENT AND ITS ADMINISTRATION.

ART. XII. The civil government, the administration, and the service of communications devolve upon the department of the interior.

ART. XIII. The secretary of the interior is the head of the department; he will appoint the employees and will remove them whenever there will be justifiable cause, and will have a department chief to aid him in the work of the department.

ART. XIV. The department chief will keep the books of the department, take care of the archives, will be the manager of the office, and will furnish certifications when requested to do so.

ART. XV. The department of the interior will compile from the data collected by the civil governors the general statistics of the Republic.

ART. XVI. The civil governor will inform the department of the interior as to the necessities of his state, will order the measures and instructions necessary for compliance with the general laws of the Republic and the orders given by that department, will distribute to the lieutenant-governors the articles of prime necessity which will be delivered to them for that purpose, will communicate to his subordinates the necessary instructions for the compilation of statistics, and will have a subsecretary who will help him in the discharge of his functions.

ART. XVII. The lieutenant-governor will see that the orders of the governors are obeyed in the district, and will have the powers incident to his position as intermediary between the civil governors and the prefects. In case of absolute breach of communication with the civil governors, they will have the same powers as the latter.

ART. XVIII. The prefect shall see that the laws and regulations communicated to him by his superior authorities are complied with. All residents and travelers are under his authority, and, being the highest official in his territory, he in his turn is bound to prevent all abuses and crimes which may be committed.

He will inform the lieutenant-governor as to the necessities of the prefecture; will divide these into as many subprefectures as he may consider necessary for the good conduct of his administration; he will watch the conduct of the subprefects; he will distribute among them with equity the articles delivered to him, and he will have all the other powers incident to him in his character of intermediary between the lieutenant-governor and the subprefects.

ART. XIX. The prefect will also have the following duties: He will harass the enemy whenever possible for him to do so; will hear the preliminary information as to crimes and misdemeanors which may be committed in his territory, passing the said information to the nearest military chief, together with the accused and all that is necessary for the better understanding of the hearing. He will not proceed thus with spies, guides, couriers, and others who are declared by our laws as traitors and considered as such, for these, on account of the difficulty of confining them or conducting them with security, shall be tried as soon as captured by a court consisting of three persons, the most capable in his judgment in the prefecture, one acting as president and the others as members of the court. He will also appoint a prosecuting officer, and the accused may appoint some one to defend him at his pleasure.

After the court is assembled in this form, and after all the formalities are complied with, it will in private judge and give its sentence, which will be final and without appeal; but those who form the said court and who do not proceed according to our laws and to natural reason will be held responsible by the superior government. Nevertheless, if in the immediate territory there be any armed force, the accused shall be sent to it with the facts in order that they shall be properly tried.

The prefects will take the statistics of his prefecture, setting down every person who is found therein, noting if he is the head of a family, the number of the same, his age, his nationality and occupation, if he is a farmer the nature of his farm, and if he has no occupation the prefect will indicate in what he should be employed. He will also keep a book of civil register in which he will set down the births, deaths, and marriages which may occur.

He will establish in the prefecture all the factories that he can or may consider necessary in order to well provide the army, as it is the primary obligation of all employees of the Republic to do all possible so that the hides shall not be lost, and organizing in the best manner, and as quickly as may be, tanneries, factories of shoes, rope, blankets, and carpenter and blacksmith shops.

He will not permit any individual of his district to be without occupation. He will see that everyone works, having the instruments of labor at hand in proportion to the inhabitants of his territory. He will protect and raise bees, he will take care of abandoned farms, and will extend as far as possible the zones of agriculture.

As soon as the prefect learns that the secretary of the interior or any delegate of this authority is in his district he will place himself under the latter's orders. This he will also do on the arrival of armed forces, presenting himself to their chief in order to facilitate the needed supplies and to serve him in every possible manner. He will have a bugle to warn the inhabitants of the enemy's approach; he will inform the nearest armed force when his territory is invaded. He will collect all horses and other animals suitable for the war and lead them to a secure place, so that when the army may need them or they may be required by the civil authorities to whom they may appertain.

He will provide the forces that may be, or pass through his territory with whatever they may need, which may be within his power, and especially shall he provide guides and beeves and vegetables which the chief may require to maintain the said forces. He will also deliver the articles manufactured in the shops under his immediate inspection, demanding always the proper receipts therefor.

He will also provide the necessary means for the maintenance of all the families of the territory, especially those of the soldiers of the army of liberation.

Until otherwise decreed he will celebrate civil marriages and other contracts entered into by the residents of his prefecture; he will act in cases of ordinary complaints and in the execution of powers and wills, registering the same in a clear and definite manner, and issuing to the interested parties the certificates which they may require.

ART. XX. The subprefects will see that the laws and orders communicated to him by his superior authorities are obeyed in territory under his command; he will inform the prefect as to the necessities of the subprefecture and will see to the security and order of the public; arresting and sending to the prefects those who may travel without safe-conduct, seeing that no violation of law whatsoever is perpetrated, and will demand the signed authority of the civil or military chief who has ordered a commission to be executed.

ART. XXI. The subprefects will compile a census in which the number of inhabitants of a subprefecture will be stated and their personal description; he will keep a book of the births and deaths which will occur in his territory, and of all this he will give account at the end of the year. He will invest the means provided by the prefect to pay the public charges, and if the said resources are insufficient he will

collect the deficit from the inhabitants; he will not authorize the destruction of abandoned farms, whether they belong to friends or enemies of the Republic, and he will inform the prefect of the farms which are thus abandoned.

ART. XXII. For the organization and better operation of the states manufactories a chief of factories shall be appointed in each district, who will be authorized to establish such factories which he may deem convenient, employing all citizens who, on account of their abilities can serve, and collecting in the prefectures of his district all the instruments he can utilize in his work. These chiefs will be careful to frequently inspect the factories, to report any defects which they may notice, and to provide the superintendents with whatever they may need, that the work may not be interrupted.

Together with the prefect he will send to the department of the interior the names of the individuals he considers most adapted to open new shops, and on the first day of each month he will send to that department a statement of the objects manufactured in each shop of his district, indicating the place of manufacture, what remains on deposit, what has been delivered, with the names of commanders of forces, civil authorities, or individuals to whom they were delivered.

ART. XXIII. The coast inspectors will have under their immediate orders an inspector, who will be his secretary, who will occupy his place in his absence or sickness, and as many auxiliaries as he may deem convenient. He may demand the aid of the prefects and armed forces whenever he may consider it necessary for the better exercise of his functions. The duties of the inspectors will be to watch the coasts and prevent the landing of the enemy, to be always ready to receive disembarkments and place in safety the expeditions which may come from abroad, to establish all the salt works possible, to capture the Spanish vessels which frequent the coasts on his guard, and to attend with special care to the punctual service of communications between his coast and foreign countries.

ART. XXIV. The coast guards will acknowledge the inspector as their superior, will watch the places designated to them, and will execute the orders given.

ART. XXV. The lieutenant-governors, as well as the inspectors of whatever class, will have their residence, wherever the necessity of their office does not prohibit it, in the general headquarters, so that they can move easily, furnish the necessary aid to the army, and carry out the orders of the military chief.

Country and liberty.

OCTOBER 17, 1895.

The secretary of the interior, Dr. Santiago Garcia Canizares, being satisfied with the preceding law, I sanction it in all respects.

Let it be promulgated in the legal form.

SALVADOR CISNEROS BETANCOURT,

*The President.*

OCTOBER 18, 1895.

#### LAW OF CIVIL MARRIAGE.

ARTICLE I. Males of 18 years of age and females of 14 can contract marriage.

ART. II. To contract marriage they must go to the notary of their residence, two witnesses being present who will sign the contract with the parties and the notary.

ART. III. The marriage contract may contain any agreement or convention which the contracting parties may agree upon and which is not opposed to the nature of the contract nor to law.

ART. IV. If one of the contracting parties is less than 20 years of age, the marriage can be contracted with notice to the father, the mother, or the guardian, according to the circumstances, and if these oppose the celebration of the marriage, the judge of the district, with knowledge of the facts, will decide the question.

ART. V. The following reason will prevent marriage: Consanguinity in the direct line. In the collateral, brother and sister can not marry; it is null by the relationship in said degrees, or by being contracted by fraud or by force. It is completely dissolved for incompatibility by a chronic and contagious disease, or one which will cause impotency, and by adultery; moral or physical ill treatment of the wife gives to the wife the right to demand from the husband, when they live apart, to bear the expenses of the marriage; if the woman commits adultery she loses this right.

ART. VI. In case of separation, the male children of 14 years of age and upward and female children of 12 and upward may elect between their parents as to residence. Those less than 3 years of age must remain with the mother. Those who have not yet reached the age of puberty, but are older than 3 years, remain with the parent who has not given the motive for the separation. This is in case that the separation is caused by some guilt. If it occurs on account of sickness, the children will remain with the one who did not desire the separation. If the separation is on account of incompatibility, the parents must agree as to this

point. On reaching the age of 3 years, the children who until then have been with the mother, the question of their custody will be governed by the other provisions of this article.

When the male reaches the age of 14 and the female of 12, whatever may have been their previous residence, they may alter it.

ART. VII. Marriage being once dissolved, the parties may remarry, but the woman shall not do so until twelve months have elapsed, in order to avoid confusion of paternity.

ART. VIII. Civil marriage is placed on an equal footing, as to duty and effects, with that recognized by our former legislation, and celebrated by the intervention of the church.

ART. IX. The promise of marriage does not have any other result than that of the payment of the penalty, which must be stipulated by the contracting party. If no penalty is stipulated, no duty of payment is incurred.

ART. X. The seduction of a female, whether she be a minor or not, obliges the seductor to marry the seduced or to pay a penalty in proportion to the fortune of both, which the judge of the district must determine.

Country and liberty.

PROVIDENCIA, September 25, 1895.

GARCIA CANIZARES.

*Secretary of the Interior:*

Let the foregoing be promulgated in the legal form, it having my sanction.

Providencia, September 25, 1895.

SALVADOR CISNEROS BETANCOURT,

*President.*

#### CIVIL MARRIAGE.

*Instructions which must be observed by the prefects of the Republic of Cuba in the celebration of civil marriage, exercising the function which is given them by the provisional law passed by the Government Council on the 25th of September, 1895.*

ARTICLE I. The prefect of the residence of the wife, who is the only one competent to celebrate the marriage, will demand of the parties a copy of their certificate of birth, so that they can prove their marriageable age, which of the male is 18 years and of the female 14 years.

ART. II. If either of the contracting parties should not have that document, by the omission, suppression, or burning of the register, or for any other cause, this credential may be substituted by a certificate of the authorities as to the nationality or residence, in which certificate the cause of the absence of the original certificate shall be stated (after previous investigation and on information received as to its omission) the names of the parents, their civil status, and the year and month of the birth of the contracting parties.

ART. III. If it appears that the contracting parties are over 20 years of age the prefect will proceed to the celebration of the civil marriage without further requisite than to give it publicity, for which purpose he shall affix notices in the most frequented places of the prefecture.

ART. IV. But if either of the parties is less than 20 years of age the contract must not only be made public, as previously stated, but notice given to the father, the mother, or the guardian, so that if these oppose the marriage it may be suspended until, with a full knowledge of the facts, the question be decided by the judge, who must investigate, the prefect fixing a time for the opposing parties to establish and justify their position, which must not be longer than eight days.

ART. V. In all cases the prefect will demand from the contracting party their assurance of the consent of each other, or at least that of the bride, and of her ability to enter into the matrimonial contract, which requisite the prefect may omit if he himself possesses knowledge of the circumstances.

ART. VI. If there are no disabilities to the marriage the prefect will register in a book entitled Book of Civil Marriages Contracted in the Prefecture —, designating on the first page the year and making an index at the end in alphabetical order.

ART. VII. The contract will be formulated in the following terms:

“Formula of the marriage of persons of 20 years and upward:

“In the prefecture of — on the — day of 189—, before me, the prefect —, and before me, the undersigned secretary, there appeared — and —, of 20 years and upward, the former born and resident of —, son of (here the names of parents), and the latter born and resident of the prefecture —, daughter



(here the names of parents), who are known to the prefect and to myself, the secretary, or who, unknown, were presented to M. and P., who act as witnesses, who affirm that that they know them, or at least that they know her, and they so declare and affirm."

"The contracting parties thereupon say, in the presence of these witnesses and those to this instrument, A and B, called for that purpose, that of their own free will, and without any violence, they promised to marry civilly, which marriage they now celebrate, and they agree to live in complete harmony and conjugal union, and never to separate unless because of incompatibility, or for any of the other reasons allowed by law, declaring that this marriage is for the welfare and honor of both, and for their offspring, and as the laws and customs of good government require (here any agreement made between the contracting parties shall be inserted, besides the nuptial contract), and the register will thus end; and in order that this marriage shall be known, and always and in all cases have its legal force, the prefect orders the minutes of this contract to be drawn in the said terms, signing with the contracting parties, and the said witnesses (if they can write, and if they can not others, at their request, may do so), to all of which I, the secretary, certify."

FORMULA FOR THE MARRIAGE OF THOSE LESS THAN TWENTY YEARS OF AGE.

The beginning will be as in the above formula, adding that the contracting parties being minors, the father, mother, or guardian appeared, who declared their assent and signed (if they can write) the register, and if not, a person of their confidence whom they may select. The declaration as to register will be the same as in the preceding formula.

FORMULA OF CIVIL MARRIAGE TO WHICH THERE IS OPPOSITION.

After the preamble similar to the first formula in the register is declared, that the father, mother, or guardian whosoever has interposed before the competent authority, has dissented, declares the contract not to be proper, as he explains in the following declaration. As to the rest, the register will be as in the first formula to its conclusion.

But in case the father, mother, or guardian do not make any opposition, it shall be so declared in the register that the time fixed having passed and the person having the right to exercise this right having failed to do so, the marriage has been consummated.

NOTE.—Of every marriage there will be formed a file consisting of the copy of the register of birth, of the cedula, of the declaration of the opposition of father, mother, or guardian, and of the decree in which it shall be declared proper, or it is ordered that the marriage shall take place because they have not exercised that right, or because the party opposing has not complied with the law. This file shall be kept for future use.

Country and liberty.

GARCIA CANIZARES,  
*Secretary of the Interior.*

PROVIDENCIA, *September 25, 1895.*

Let the foregoing be promulgated in its legal form, as I sanction the foregoing law in all its parts.

SALVADOR CISNEROS BETANCOURT,  
*President.*

PROVIDENCIA, *September 25, 1895.*

EXTRACT OF THE SESSIONS.

[Republic of Cuba, Provisional Government, secretary of the council—José Clemente Vivanco, secretary of the Government Council and chancellor of the Republic.]

I certify that among the resolutions passed by this council, according to the minute book of the sessions, the following are to be found:

To give two months' time to the chiefs and officers of the last revolution to join the new army of liberation, so as to have their ranks recognized, and four months' time to those in foreign countries to place themselves in communication with the delegates. To allow the Cuban emigrants individual freedom in the nature of their contributions for the revolution. To permit the export of wooden blocks on payment of \$5 in gold as tax for each piece. To prohibit absolutely the export of corn and all forage; of cattle, pigs, horses; without allowing anything to enter the towns without the previous payment of taxes.

To prohibit absolutely also the introduction in the towns of all kinds of fruits and articles of commerce which may favor the said towns and indirectly the Government which we are fighting.

San Andres de la Rioja, October 9, 1895.

(Signed)

JOSÉ CLEMENTE VIVANCO,  
*Secretary of the Council.*

#### REGULATIONS FOR THE SERVICE OF COMMUNICATIONS.

ARTICLE 1. The secretary of the interior will be the postmaster-general of the whole island, and the civil governor the chief of his territory.

ART. 2. The postal service is established between the prefectures of the Republic and between the towns and prefectures near by.

ART. 3. In order to organize the postal service, an inspector will be named for each district; as many chiefs as there are post-offices, and as many couriers and auxiliaries as are necessary for each one.

ART. 4. The inspector is the superior chief in his district of the postal service; under his direction will be the postmasters, couriers, and auxiliaries. He shall organize the service by placing the post-offices in the most convenient places, so that the service shall be carried out with the greatest ease and with the greatest rapidity. He will employ the number of employees that are necessary. He will ask for their resignations whenever there is any justifiable cause for it. He will see that every one shall fulfill his duties, and shall name the hours when the couriers shall depart. He shall correct all defects that come under his notice, propose all modifications which he may think will give a better service, and give an account of all extraordinary services which his subalterns may render in order that they should be registered and rewarded.

ART. 5. The chiefs will reside in the post-office, from which they can not be absent during the appointed hours, and they are to act whenever possible as auxiliaries to the prefect's office. They will receive official and private correspondence, sign receipts for that delivered by mail carriers, setting down the hour of delivery, and they will deliver, under receipt in which they will also put down the time of departure, to the outgoing postman the mail matter in their hands, giving with it a memorandum stating the name of mail carried and the time of departure. They will also see that the post-offices are well attended and have in them the necessary number of horses required for the service, unless in cases where the service is carried on foot. They will report to the inspector the defects they may observe in the service, without forgetting the importance of their position.

ART. 6. The mail carriers will collect daily at the appointed hours, along the route marked out, without delaying on the way nor hurrying their horses except in urgent cases that will be pointed out by the chief. They will have a receipt for the correspondence delivered to them, and will receive in exchange for the receipt a signed memorandum stating what mail they carry; which memorandum they will present to the chief of postal department, so that he may sign it and declare that he has received them, and, after complying with this requisite, change it for a receipt which he will leave in the office of departure.

A great service will be done by the couriers, and for that reason men of known honesty and valor shall be chosen, who are capable of appreciating the service they render their country.

ART. 7. A mail service will be organized in every city occupied by the enemy, and will consist of as many chiefs and carriers as may be considered necessary.

ART. 8. The inspectors of mails will be the immediate superior officer of the service in the town of his residence, and will have under his command the postmasters and mail carriers, and they will exercise their functions in the same manner as the coast inspectors. They will have special care in the selection of employees and in keeping all possible secrecy to elude the vigilance of the enemy.

ART. 9. The postmasters will be considered as the chiefs of mail carriers and will act with the carriers, as the carriers with the drivers, always giving an account of any extra services rendered.

ART. 10. The mail carriers will have charge of receiving from the postmasters the mail matter and carry it out of the cities for delivery to the office of the nearest prefect. They will give and ask for receipts as the drivers and like these must be honest men, sharp and brave enough with courage to overcome the difficulties that may arise in the performance of their important and dangerous mission and worthy to occupy these positions of trust in which they can lend such valuable services to the sacred cause every Cuban is bound to defend.

ART. 11. The inspectors and postmasters will keep a book to record the appointments of employees and the services rendered by them and will make up their archives

with this book and circulars, communications, and official documents that they receive on the copies of those they may have to transmit.

Country and liberty, September, 1895.

Dr. SANITAGO GARCIA CANIZARES,  
*Secretary of the Interior.*

In conformity with the preceding regulations I sanction them in every part; and that it may govern and produce its corresponding effects have it published in the legal form.

Country and liberty.

Residence of the Executive in Limonea, the 6th day of October, 1895.

SALVADOR CISNEROS, *President.*

LAW FOR THE ORGANIZATION OF THE PUBLIC TREASURY.

ARTICLE I. All property of whatever description situated in the territory of the Republic comes under the jurisdiction of the secretary of the treasury; therefore this department shall take charge of articles of whatever description brought to this island by expeditions from abroad; this department also has the faculty of raising public loans and general taxes.

ART. II. The secretary of the treasury will be the superior chief of his department throughout the Island of Cuba, and through him the subaltern officers will receive the orders given by the council. The duties of the secretary will be to determine, on information of the collectors, the taxes which shall be paid in each state and the form in which they shall be collected, to nominate the employees of his department and to discharge them for justifiable cause. He will deliver to the chiefs of corps and civil governors the articles which he receives from abroad; he will give a receipt for the articles or sums of money which from any source whatever may be collected by the public treasury. He may trade with the merchandise belonging to the Republic; he may lease or sell whatever be convenient and will present an account every three months to the council of the funds belonging to the Republic.

ART. III. To facilitate the work of the treasury a chief of department will be appointed who will act as general comptroller, and in each State a collector and a secretary of the administration of the treasury, and for each district a delegate.

ART. IV. The chief of the department, or general comptroller, will have charge of the archives of the department, will keep the books in due form, and will take part in all the collections and disbursements which may occur.

ART. V. The collector will represent in each State the secretary of the treasury, he will give information as to the taxable property in his State, he will dictate the necessary measures to carry out the general orders communicated to him by the secretary of the treasury, he will collect by means of agents the taxes fixed upon, and he will send to the department as soon as possible the funds collected; nevertheless he may deliver the amounts he may deem necessary to the chiefs of the different army corps, who will give a receipt for them and justify their expenditure. The collectors will monthly send to the department a statement of their operation.

ART. VI. The secretary of the administration of the treasury will keep the archives of his respective State, will keep the books in due form, and will take part in the operations of the collector.

ART. VII. The delegates or agents will be the collectors of taxes in each district and the commissioners will see that the orders of the collectors of the State are carried out. They may appoint auxiliaries whenever necessary, and are authorized to demand the aid of the prefects and armed forces for the better fulfillment of their commissions.

Country and liberty.

Canaster, October 16, 1895.

SEVERO PINA,  
*Secretary of the Treasury.*

In conformity with the previous law, I sanction it in all its parts. Let it be promulgated in legal form.

Country and liberty, October 18, 1885.

MANGOS DE BARAGUA.

SALVADOR CISNEROS BETANCOURT,  
*President.*

INSTRUCTIONS TO THE OFFICERS OF THE DEPARTMENT OF THE TREASURY OF THE  
REPUBLIC OF CUBA.

ARTICLE I. According to article 18 of the constitution and the decree of the general in chief of the 20th of September last, the military chiefs shall give the necessary aid to the officers of the treasury for the better fulfillment of their duties.

ART. II. With the aid of the armed forces, they will proceed to the destruction of those plantations, whatever be their nationality, which will refuse to pay the taxes decreed by the Government of the Republic.

ART. III. As a basis for the rate of tax, the production of the plantations shall serve as well as the price of their products, taking into consideration the expense of transportation.

ART. IV. The amount of the tax will be paid in advance in gold or in drafts on New York, Paris, or London in the form agreed upon.

ART. V. All kinds of traffic with the enemy is absolutely prohibited, only the following articles and products are allowed to be exported:

Coffee and cocoa, \$4 per hundredweight.

Wood in blocks, \$8 per thousand feet or \$3 apiece, as will best suit the interests of the Republic and the functionary authorizing the exportation.

Guana (a textile palm), \$4 per hundredweight.

Wax, \$4 per hundredweight.

Fattened steers, \$3 per head.

Cheese, \$2 per hundredweight.

In regard to mines, tobacco, and plantains for exportation, it is left to the judgment of the collector of the treasury.

ART. VI. The exportation of wood or guana (the latter until December 6) will only be permitted when worked or packed by individuals who are in the confidence of our authorities.

ART. VII. The exportation of cattle will only be allowed when, in the judgment of the authority, they run imminent risk of falling into the hands of the enemy.

ART. VIII. The collector of the treasury of each State may suspend, temporarily, the exportation of the products referred to in Article V, immediately giving an account of it to the secretary of the treasury for final adjudgment.

Sabanilla del Contra Maestre, October 24, 1895.

SEVERO PINA,  
*Secretary of the Treasury.*

In conformity with the previous law, I sanction it in all its parts. Let it be promulgated in legal form.

Sabanilla, October 25, 1895.

SALVADOR CISNEROS BETANCOURT,  
*President.*

## EXTRACT OF THE SESSIONS OF THE GOVERNMENT COUNCIL, REPUBLIC OF CUBA.

Secretary of the Government José Clemente Vivanco, secretary of the Government Council and chancellor of the Republic, I certify that in the minute books of the sessions celebrated by this council the following resolutions are found:

SEPTEMBER 19, 1895.

To appoint a secretary of the Government and chancellor of the Republic, José Clemente Vivanco. To send the appointments of general in chief, Lieutenant-general, and delegate plenipotentiary abroad to Maj. Gen. Maximo Gomez, Maj. Gen. Antonio Maceo, and Tomas Estrada Palma, respectively.

To appoint as civil governor of Camaguey, Dr. Oscar Primelles, and of Oriente, Rafael Manduley.

To complete the system of the division of the territory of the island into zones, and that the subsecretary of war, in the absence of the secretary, agree with the general in chief as to the organization of the army of liberation.

SEPTEMBER 20, 1895.

To give two months' time to the chief and officers of the past revolution to join the newly organized army of liberation, for the recognition of their grades, and four months' time to those outside of the island. That each secretary of state may name a chief of his department. To appoint as director of the treasury in Oriente Diego Palacios, and in Camaguey, Col. Lope Recio Loynaz. That the secretary communicate with the general in chief so the latter may indorse the authorities, passes, and orders given by the Government and require all the forces of the army of liberation to respect and obey them.

To ask the general in chief for Capts. Francisco Garcia, Manuel Merrero, and Ensign Enrique Boza, as their services are needed by the Government. That the Cuban emigrations shall be at liberty as to the manner of contributing to the revolution.

To ask from abroad a copy of all the decrees passed by the government of the last revolution, and to order that in conformity with the minutes sent from here all documents shall be printed emanating from the Government as well as the constitution passed by the constituent assembly which shall be placed in our archives.

SEPTEMBER 24, 1895.

To publish a circular of the secretary of the interior, addressed to the prefects, subprefects, and other functionaries of civil order, recommending them to fulfill their respective duties.

To approve the order given by the general in chief as to the respect due peaceful families and their interests, excepting in cases of military necessity or on account of manifest or suspected treachery, and that the secretary of the interior address such communication to the civil governors advising them of this resolution.

To appoint chief of postal service for the eastern and western district of Camaguey, Manuel Manero, and Francisco Garcia, respectively, and to confirm the appointments of prefects temporarily made by the general in chief.

To ask the general in chief to order all the chiefs of army corps to send to the secretary of war a detailed account of the chiefs and officers under his orders, their record of service, the positions which they occupy, and their respective abilities.

To communicate to Maj. Gen. Carlos Roloff that his aides, Francisco Diaz Silveira and Orencio Nodarse remain with this Government.

SEPTEMBER 25, 1895.

To permit the export of wood in blocks after the payment of \$5 in gold for each block. To absolutely prohibit the sale of corn and all kinds of forage, cows, oxen, and horses, permitting only other animals to be taken within a radius of 6 leagues from the towns on a payment of the tax.

That through the secretary of the treasury a detailed statement of the tax-paying property shall be sent to the prefects and military chiefs.

To approve the provisional law of civil marriage passed June 4, 1869, by the Chamber of Representatives of the past revolution and to put it in force on motion of the secretary of the interior.

To approve and enforce the instructions as to said law, which were passed June 21, 1869, by the said chamber.

To confirm the appointment of inspectors of coasts and coast guards made previously by the general in chief.

OCTOBER 5, 1895.

That each secretary of state shall present to the council such projects of laws and regulations as shall be in force in their respective departments, and that the secretary of foreign relations, together with the subsecretary, the acting secretary of war, shall draw a project of criminal procedure for deliberation and approval by the council.

OCTOBER 6, 1895.

To absolutely prohibit the introduction in the towns of all articles of commerce which, favoring trade indirectly, aid the enemy's Government, and to confirm the appointment of the inspector of shops and prefectures in the district of Tunas to Citizen Luis Marti, provisionally given by the general in chief of the third division José M. Capote, on September 17, 1895.

OCTOBER 16, 1895.

That the secretary of the Government shall collect all the laws, rules, decrees, and all other orders of this council and an extract of the resolutions for publication in book form for an edition of 500 copies.

To approve the project of the law for the organization of the public treasury presented by the secretary of the treasury.

To approve the law for the civil government and administration of the Republic, presented by the secretary of the interior.

OCTOBER 21, 1895.

To send a communication to the chiefs of army corps; to send the secretary of the treasury a detailed account of all the contracts made by them since the beginning of the war, in order that in conformity with article 21 of the constitution they be approved.

To give military consideration to all civil functionaries, appointing for this purpose a commission composed of the secretary of the interior and the subsecretary of war, so that they may present a report as to the rules to be followed in this behalf.

OCTOBER 24, 1895.

To approve the project as to instructions of the officers of the public treasury presented by the secretary of the treasury.

To approve the report as to the military considerations to be enjoyed by the civil functionaries, presented by the secretary of the interior and the subsecretary of war, commissioned for this purpose at the last session, which is as follows:

The president of the Republic, that of general in chief of the army; the vice-president, and the secretaries of state, of major-generals.

The secretary of the council and chancellor, brigadier-general; the chiefs of departments of states, civil governors and collectors of the treasury, colonels; the lieutenant-governor, delegate of the treasury and the secretary of administration, of the treasury, majors; the prefects, the inspectors of shops, of coast and communication, that of captains; the subprefects, and ensigns.

All these considerations shall be enjoyed by them unless they have higher rank.

OCTOBER 25, 1895.

The following decree was approved:

ARTICLE I. No one can be punished by death, or by imprisonment or reprimand, without having been previously judged by court-martial.

ART. II. The factories, barns, houses, fruit trees, and useful wood trees will be respected by all the citizens of the Republic.

ART. III. Housebreaking and unjustifiable raids will be severely punished.

ART. IV. No citizen can be dispossessed from the house he occupies without justifiable motive.

ART. V. The forces on the march, detachments, or commissions will not occupy inhabited houses without the consent of their owners, unless the exigencies of the war require it or in extraordinary cases, when it will be justified by the officer who orders it.

And for the publication thereof in accordance with the resolution of the 16th instant, I publish the present compilation, which is a true copy of the originals, on file in the archives of my secretaryship.

Country and liberty.

Sabanilla, October 25, 1895.

JOSÉ CLEMENTE VIVANCO,  
*Secretary of the Council.*

There will soon be published the laws of organization and military ordinances drafted by the general in chief and approved by the council, which shall be joined to the present compilation, C.

[COAT OF ARMS OF CUBAN REPUBLIC.]

In the name of the Republic of Cuba by delegation of the Cuban people in arms. The constituent assembly resolved by acclamation on this day to confer on Tomas Estrada Palma, the diplomatic representative and agent abroad, the title of delegate plenipotentiary of the Republic of Cuba.

In witness whereof we have affixed our signatures in Jimaguayu on the 18th of September, 1895.

Salvador Cesneros, B., President; Rafael Manduley, Vice-President; Enrique Loinaz del Castillo, Severo Pina, Fermin Valdes Dominguez, Rafael Perez Morales, Raimundo Sanchez, J. D. Castillo, Pedro Pinan de Villegas, Pedro Aguilera, Marcos Padilla, Rafael M. Portuondo, Dr. Santiago Garcia Canizares; Lope Recio, L.; Orenicio Nodarse, secretary; Franco Diaz Silveira, Enrique Cespedes, Mariano Sanchez Vaillant, F. Lopez Leiva, secretary; José Clemente Vivanco, secretary.

D.

ARMY HEADQUARTERS AT CUMANAYAGUA.

MR. ALFREDO REGO.

MY DEAR SIR: I had the pleasure to receive your polite note. I see by it the generosity of your heart, and I thank you, in the name of my superior officers, to whom I will communicate your humanitarian act.

I send the committee desired to bring back the prisoners. It takes this letter to you and is composed of Benito Mesa and Telesforo Ramirez. I beg you to give them the necessary aid, promising you that your men will be respected by this garrison.

Yours, truly,

(Signed.) JOSÉ BRETONES, *Lieutenant.*

## APPENDIX No. 4.

### PRESIDENT'S MESSAGE. - Cleveland

The insurrection in Cuba still continues with all its perplexities. It is difficult to perceive that any progress has thus far been made toward the pacification of the island or that the situation of affairs as depicted in my last annual message has in the least improved. If Spain still holds Habana and the seaports and all the considerable towns, the insurgents still roam at will over at least two-thirds of the inland country. If the determination of Spain to put down the insurrection seems but to strengthen with the lapse of time, and is evinced by her unhesitating devotion of largely increased military and naval forces to the task, there is much reason to believe that the insurgents have gained in point of numbers, and character, and resources, and are none the less inflexible in their resolve not to succumb, without practically securing the great objects for which they took up arms. If Spain has not yet reestablished her authority, neither have the insurgents yet made good their title to be regarded as an independent state. Indeed, as the contest has gone on, the pretense that civil government exists on the island, except so far as Spain is able to maintain it, has been practically abandoned. Spain does keep on foot such a government, more or less imperfectly, in the large towns and their immediate suburbs. But, that exception being made, the entire country is either given over to anarchy or is subject to the military occupation of one or the other party. It is reported, indeed, on reliable authority that at the demand of the commander in chief of the insurgent army the putative Cuban government has now given up all attempt to exercise its functions, leaving that government confessedly (what there is the best reason for supposing it always to have been in fact) a government merely on paper.

Were the Spanish armies able to meet their antagonists in the open, or in pitched battle, prompt and decisive results might be looked for, and the immense superiority of the Spanish forces in numbers, discipline, and equipment could hardly fail to tell greatly to their advantage. But they are called upon to face a foe that shuns general engagements, that can choose and does choose its own ground, that from the nature of the country is visible or invisible at pleasure, and that fights only from ambuscade and when all the advantages of position and numbers are on its side. In a country where all that is indispensable to life in the way of food, clothing, and shelter is so easily obtainable, especially by those born and bred on the soil, it is obvious that there is hardly a limit to the time during which hostilities of this sort may be prolonged. Meanwhile, as in all cases of protracted civil strife, the passions of the combatants grow more and more inflamed and excesses on both sides become more frequent and more deplorable. They are also participated in by bands of marauders, who, now in the name of one party and now in the

name of the other, as may best suit the occasion, harry the country at will and plunder its wretched inhabitants for their own advantage. Such a condition of things would inevitably entail immense destruction of property, even if it were the policy of both parties to prevent it as far as practicable. But while such seemed to be the original policy of the Spanish Government, it has now apparently abandoned it and is acting upon the same theory as the insurgents, namely, that the exigencies of the contest require the wholesale annihilation of property, that it may not prove of use and advantage to the enemy.

It is to the same end that, in pursuance of general orders, Spanish garrisons are now being withdrawn from plantations and the rural population required to concentrate itself in the towns. The sure result would seem to be that the industrial value of the island is fast diminishing, and that unless there is a speedy and radical change in existing conditions it will soon disappear altogether. That value consists very largely, of course, in its capacity to produce sugar—a capacity already much reduced by the interruptions to tillage which have taken place during the last two years. It is reliably asserted that should these interruptions continue during the current year, and practically extend, as is now threatened, to the entire sugar-producing territory of the island, so much time and so much money will be required to restore the land to its normal productiveness that it is extremely doubtful if capital can be induced to even make the attempt.

The spectacle of the utter ruin of an adjoining country, by nature one of the most fertile and charming on the globe, would engage the serious attention of the Government and people of the United States in any circumstances. In point of fact, they have a concern with it which is by no means of a wholly sentimental or philanthropic character. It lies so near to us as to be hardly separated from our territory. Our actual pecuniary interest in it is second only to that of the people and Government of Spain. It is reasonably estimated that at least from \$30,000,000 to \$50,000,000 of American capital are invested in plantations and in railroad, mining, and other business enterprises on the island. The volume of trade between the United States and Cuba, which in 1889 amounted to about \$64,000,000, rose in 1893 to about \$103,000,000, and in 1894, the year before the present insurrection broke out, amounted to nearly \$96,000,000. Besides this large pecuniary stake in the fortunes of Cuba, the United States finds itself inextricably involved in the present contest in other ways both vexatious and costly.

Many Cubans reside in this country and indirectly promote the insurrection through the press, by public meetings, by the purchase and shipment of arms, by the raising of funds, and by other means, which the spirit of our institutions and the tenor of our laws do not permit to be made the subject of criminal prosecutions. Some of them, though Cubans at heart and in all their feelings and interests, have taken out papers as naturalized citizens of the United States, a proceeding resorted to with a view to possible protection by this Government, and not unnaturally regarded with much indignation by the country of their origin. The insurgents are undoubtedly encouraged and supported by the widespread sympathy the people of this country always and instinctively feel for every struggle for better and freer government, and which, in the case of the more adventurous and restless elements of our population, leads in only too many instances to active and personal participation in the contest. The result is that this Government is constantly called upon to protect American citizens, to claim damages for injuries to persons and property, now estimated at many millions of dollars,



and to ask explanations and apologies for the acts of Spanish officials whose zeal for the repression of the rebellion sometimes blinds them to the immunities belonging to the unoffending citizens of a friendly power. It follows from the same causes that the United States is compelled to actively police a long line of seacoast against unlawful expeditions, the escape of which the utmost vigilance will not always suffice to prevent.

These inevitable entanglements of the United States with the rebellion in Cuba, the large American property interests affected, and considerations of philanthropy and humanity in general, have led to a vehement demand in various quarters for some sort of positive intervention on the part of the United States. It was at first proposed that belligerent rights should be accorded to the insurgents—a proposition no longer urged because untimely and in practical operation clearly perilous and injurious to our own interests. It has since been and is now sometimes contended that the independence of the insurgents should be recognized. But imperfect and restricted as the Spanish government of the island may be, no other exists there—unless the will of the military officer in temporary command of a particular district can be dignified as a species of government. It is now also suggested that the United States should buy the island—a suggestion possibly worthy of consideration if there were any evidence of a desire or willingness on the part of Spain to entertain such a proposal. It is urged, finally, that, all other methods failing, the existing internecine strife in Cuba should be terminated by our intervention, even at the cost of a war between the United States and Spain—a war which its advocates confidently prophesy could be neither large in its proportions nor doubtful in its issue.

The correctness of this forecast need be neither affirmed nor denied. The United States has nevertheless a character to maintain as a nation, which plainly dictates that right and not might should be the rule of its conduct. Further, though the United States is not a nation to which peace is a necessity, it is in truth the most pacific of powers, and desires nothing so much as to live in amity with all the world. Its own ample and diversified domains satisfy all possible longings for territory, preclude all dreams of conquest, and prevent any casting of covetous eyes upon neighboring regions, however attractive. That our conduct toward Spain and her dominions has constituted no exception to this national disposition is made manifest by the course of our Government, not only thus far during the present insurrection, but during the ten years that followed the rising at Yara in 1868. No other great power, it may safely be said, under circumstances of similar perplexity, would have manifested the same restraint and the same patient endurance. It may also be said that this persistent attitude of the United States toward Spain in connection with Cuba unquestionably evinces no slight respect and regard for Spain on the part of the American people. They in truth do not forget her connection with the discovery of the Western Hemisphere, nor do they underestimate the great qualities of the Spanish people, nor fail to fully recognize their splendid patriotism and their chivalrous devotion to the national honor.

They view with wonder and admiration the cheerful resolution with which vast bodies of men are sent across thousands of miles of ocean, and an enormous debt accumulated, that the costly possession of the Gem of the Antilles may still hold its place in the Spanish Crown. And yet neither the Government nor the people of the United States have shut their eyes to the course of events in Cuba, or have failed to realize the existence of conceded grievances, which have led to the present

revolt from the authority of Spain—grievances recognized by the Queen Regent and by the Cortes, voiced by the most patriotic and enlightened of Spanish statesmen without regard to party, and demonstrated by reforms proposed by the executive and approved by the legislative branch of the Spanish Government. It is in the assumed temper and disposition of the Spanish Government to remedy these grievances, fortified by indications of influential public opinion in Spain, that this Government has hoped to discover the most promising and effective means of composing the present strife with honor and advantage to Spain and with the achievement of all the reasonable objects of the insurrection.

It would seem that if Spain should offer to Cuba genuine autonomy—a measure of home rule which, while preserving the sovereignty of Spain, would satisfy all rational requirements of her Spanish subjects—there should be no just reason why the pacification of the island might not be effected on that basis. Such a result would appear to be in the true interest of all concerned. It would at once stop the conflict which is now consuming the resources of the island and making it worthless for whichever party may ultimately prevail. It would keep intact the possessions of Spain without touching her honor, which will be consulted rather than impugned by the adequate redress of admitted grievances. It would put the prosperity of the island and the fortunes of its inhabitants within their own control, without severing the natural and ancient ties which bind them to the mother country, and would yet enable them to test their capacity for self-government under the most favorable conditions. It has been objected on the one side that Spain should not promise autonomy until her insurgent subjects lay down their arms; on the other side, that promised autonomy, however liberal, is insufficient, because without assurance of the promise being fulfilled.

But the reasonableness of a requirement by Spain of unconditional surrender on the part of the insurgent Cubans before their autonomy is conceded is not altogether apparent. It ignores important features of the situation—the stability two years' duration has given to the insurrection; the feasibility of its indefinite prolongation in the nature of things, and, as shown by past experience, the utter and imminent ruin of the island unless the present strife is speedily composed; above all, the rank abuses which all parties in Spain, all branches of her Government, and all her leading public men concede to exist and profess a desire to remove. Facing such circumstances, to withhold the proffer of needed reforms until the parties demanding them put themselves at mercy by throwing down their arms, has the appearance of neglecting the gravest of perils and inviting suspicion as to the sincerity of any professed willingness to grant reforms. The objection on behalf of the insurgents, that promised reforms can not be relied upon, must of course be considered, though we have no right to assume, and no reason for assuming, that anything Spain undertakes to do for the relief of Cuba will not be done according to both the spirit and the letter of the undertaking.

Nevertheless, realizing that suspicions and precautions on the part of the weaker of two combatants are always natural and not always unjustifiable—being sincerely desirous in the interest of both, as well as on its own account, that the Cuban problem should be solved with the least possible delay—it was intimated by this Government to the Government of Spain some months ago that if a satisfactory measure of home rule were tendered the Cuban insurgents, and would be accepted by them upon a guaranty of its execution, the United States would endeavor to find a way not objectionable to Spain of furnishing such

guaranty. While no definite response to this intimation has yet been received from the Spanish Government, it is believed to be not altogether unwelcome, while, as already suggested, no reason is perceived why it should not be approved by the insurgents. Neither party can fail to see the importance of early action, and both must realize that to prolong the present state of things for even a short period will add enormously to the time and labor and expenditure necessary to bring about the industrial recuperation of the island. It is therefore fervently hoped on all grounds that earnest efforts for healing the breach between Spain and the insurgent Cubans, upon the lines above indicated, may be at once inaugurated and pushed to an immediate and successful issue. The friendly offices of the United States, either in the manner above outlined or in any other way consistent with our Constitution and laws, will always be at the disposal of either party.

Whatever circumstances may arise, our policy and our interests would constrain us to object to the acquisition of the island or an interference with its control by any other power.

It should be added that it can not be reasonably assumed that the hitherto expectant attitude of the United States will be indefinitely maintained. While we are anxious to accord all due respect to the sovereignty of Spain, we can not view the pending conflict in all its features and properly apprehend our inevitably close relations to it, and its possible results, without considering that by the course of events we may be drawn into such an unusual and unprecedented condition as will fix a limit to our patient waiting for Spain to end the contest, either alone and in her own way, or with our friendly cooperation.

When the inability of Spain to deal successfully with the insurrection has become manifest, and it is demonstrated that her sovereignty is extinct in Cuba for all purposes of its rightful existence, and when a hopeless struggle for its reestablishment has degenerated into a strife which means nothing more than the useless sacrifice of human life and the utter destruction of the very subject-matter of the conflict, a situation will be presented in which our obligations to the sovereignty of Spain will be superseded by higher obligations, which we can hardly hesitate to recognize and discharge. Deferring the choice of ways and methods until the time for action arrives, we should make them depend upon the precise conditions then existing; and they should not be determined upon without giving careful heed to every consideration involving our honor and interest, or the international duty we owe to Spain. Until we face the contingencies suggested, or the situation is by other incidents imperatively changed, we should continue in the line of conduct heretofore pursued, thus in all circumstances exhibiting our obedience to the requirements of public law and our regard for the duty enjoined upon us by the position we occupy in the family of nations.

A contemplation of emergencies that may arise should plainly lead us to avoid their creation, either through a careless disregard of present duty or even an undue stimulation and ill-timed expression of feeling. But I have deemed it not amiss to remind the Congress that a time may arrive when a correct policy and care for our interests, as well as a regard for the interests of other nations and their citizens, joined by considerations of humanity and a desire to see a rich and fertile country, intimately related to us, saved from complete devastation, will constrain our Government to such action as will subserve the interests thus involved and at the same time promise to Cuba and its inhabitants an opportunity to enjoy the blessings of peace.



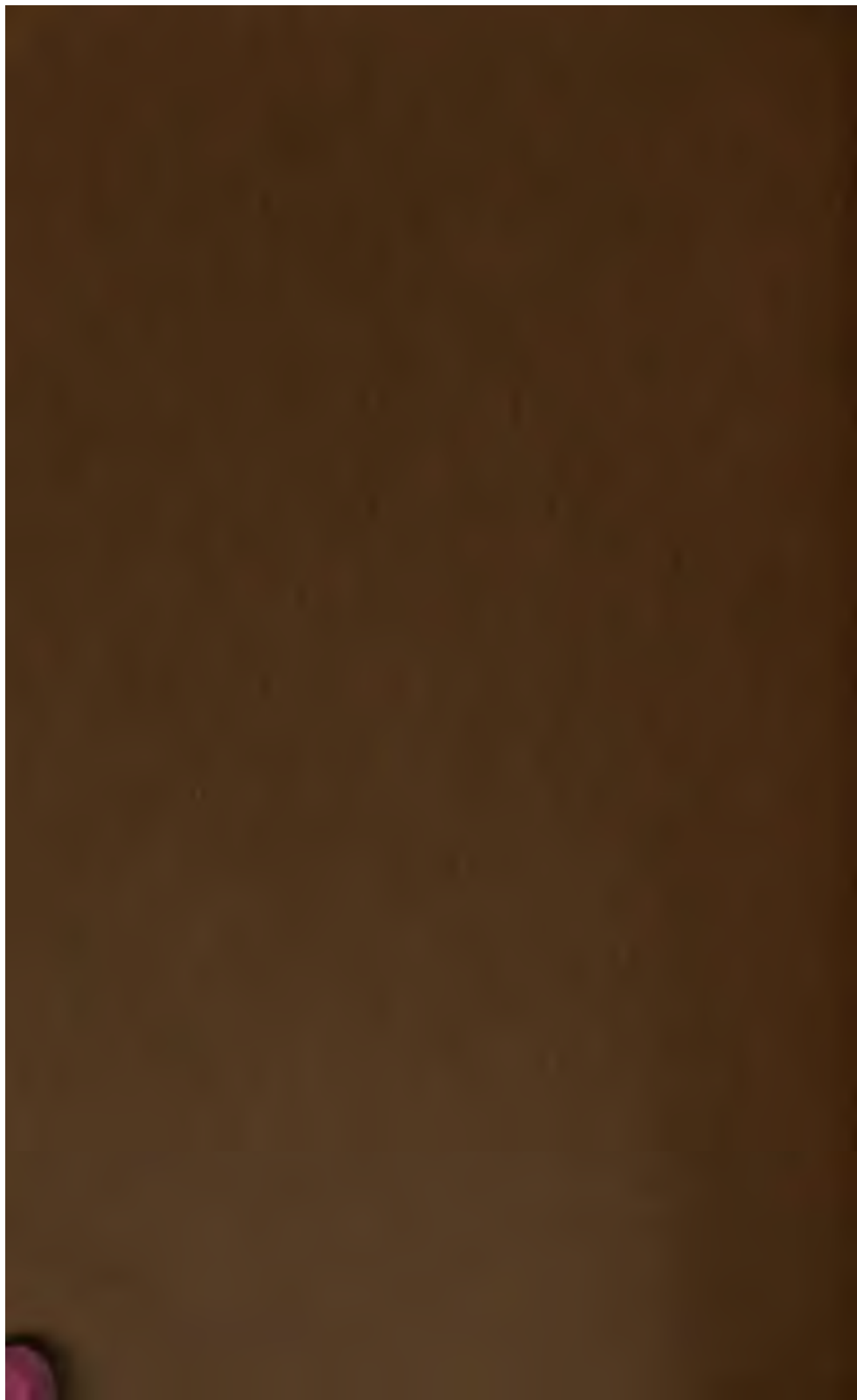
THE MEDICAL AND ANATOMICAL  
SOCIETY OF NEW YORK

REPORT ON CUBA

By H. D. DIXON

Presented to the Society at its annual meeting on the  
subject of "The Medical and  
Surgical Conditions of Cuba"

NEW YORK: 1895



62

THE MERCHANTS' ASSOCIATION  
OF NEW YORK

# Report on Cuba



BY

H. D. DUMONT

*Delegated to visit that Island for the purpose of  
investigating the Economic and Commercial  
Conditions now prevailing.*

Second Edition, May, 1903.





## INDEX TO SUBJECTS.

	<i>Page.</i>
GENERAL SUMMARY.....	7
GENERAL REPORT.....	9
TABLES IMPORTS AND EXPORTS.....	12
CREDITS AND COLLECTIONS, FINANCIAL CONDITIONS.....	14
BANKS AND CURRENCY.....	15
TRIP OVER ISLAND.....	17
LANDS .....	20
MINERALS AND TIMBER.....	21
SUGAR. ....	22
TOBACCO .....	26
CIGARS, COFFEE, CACAO.....	28
CORN, RICE.....	29
POTATOES, VEGETABLES, CATTLE.....	30
CANNED MEATS AND PINEAPPLES.....	31
BANANAS AND ORANGES.....	33
CUBAN GOVERNMENT, PAST, PRESENT.....	33
CUBAN REVENUES.....	34
CUBAN MUNICIPAL GOVERNMENTS.....	37
SCHOOLS .....	38
LABOR .....	39





### *PREFATORY.*

**A**T the regular meeting of the Board of Directors of the Merchants' Association of New York, October 3, 1902, a communication was presented suggesting that the Association send a representative to Cuba, to study there, at first hand, the natural conditions pertaining to its commerce, in order that the Association might be thoroughly equipped to take an active part in endeavoring to obtain for Cuba just reciprocal trade relations with the United States.

After consideration the following resolution was unanimously adopted :

RESOLVED, That it is the sense of the Board that a representative of the Association should be sent to Cuba in the near future, but that the whole matter be, and hereby is, left to the discretion of a committee of three to be appointed by the chairman, said committee to have full power to act.

In conformity with the foregoing resolution, Vice-President Juhring appointed the following members of the Committee on Cuban Conditions: Messrs. John C. Eames, chairman; Gustav H. Schwab and William F. King. The committee reported March 2d.

TO THE BOARD OF DIRECTORS:

Your Committee on Cuban Conditions beg to report as follows:

Under the authorization given to this committee by the Board of Directors, at a meeting held October 3, 1902, we appointed Mr. H. D. Dumont to go to Cuba to make a personal investigation of conditions there. Mr. Dumont first went to Washington and talked with the President and other officials concerning the nature of information desired *in re* Cuban reciprocity.

On October 23, 1902, Mr. Dumont sailed for Cuba and made as extensive a tour through the island as his limited time would allow, and reached New York December 2d.

Since then he has made six trips to Washington on business connected with the passage of the Cuban Reciprocity Treaty now before Congress. Mr. Dumont has reported to this committee quite fully respecting his trip to Cuba. His

report contains a great deal of information on varied subjects concerning Cuban conditions. We believe that the information which he gained while in Cuba has been of inestimable value to him in Washington in arguing in favor of the passage of the Cuban Reciprocity Treaty.

Respectfully submitted,

JOHN C. EAMES, *Chairman.*

Mr. Dumont's report on Cuba had been previously printed and advance copies sent to Senators and Representatives while the Cuban Treaty was under consideration. Mr. Dumont was in constant attendance upon Congress from early in January until the conditional acceptance by the Senate of the Treaty, about the middle of March, during which time he personally presented to most of the Senators the facts observed by him in Cuba. The valuable results of Mr. Dumont's earnest labors in behalf of the Reciprocity Treaty are attested by personal letters addressed to him by President Roosevelt and Senator Cullom, Chairman of the Senate Committee on Foreign Relations, who in large degree attribute the favorable vote upon the Treaty to Mr. Dumont's intelligent presentment of the business conditions in Cuba and their relation to the United States.

In view of the fact that action by the House of Representatives at the next session of Congress is required for the final ratification of the Cuban Reciprocity Treaty, this second edition of Mr. Dumont's report is printed for general distribution throughout the United States to inform the people of the conditions in Cuba so far as they relate to reciprocal trade relations.

## REPORT ON CUBA.

*To the Officers and Directors of The Merchants' Association of  
New York.*

*Gentlemen:*

PURSUANT to your directions, I have made an examination into the economic conditions now prevailing in Cuba, visiting for that purpose some cities of the country districts of all the provinces of the island. I preface my report with a general summary and statement of my conclusions, and follow with a detailed statement of the conditions which came under my personal observation, or of which I learned by extended and careful inquiry.

### *GENERAL SUMMARY AND CONCLUSIONS.*

THE economic prosperity, and, to a great extent, the political stability of Cuba depends upon reciprocal trade between that country and the United States. In order to effect this there needs to be political action on the part of both countries for the adjustment of tariff duties.

*First:* As between the United States and Cuba:

It is necessary that Cuban sugar and tobacco should be admitted into this country at a very much lower rate of duty than the present rate, thereby affording Cuba a profitable market for her principal products, and giving this country the benefit of natural prices on two great staples.

On the other hand, the manufactures of the United States should be admitted into Cuba on a basis of tariff duties which would insure to Cuba the customs revenue indispensable to the support of its government, and which would likewise insure to

the United States a profitable market for its manufactured products.

**Second:** As between Cuba and nations other than the United States:

For Cuba to equalize, by means of compensatory rebates, the artificial conditions which now tend to disqualify the United States from competing for the Cuban trade on a basis of equality. Cuba's prosperity depends on finding a profitable market for its sugar and tobacco. Cuba can find an ample natural market for its sugar product in the United States, in which market that product is now depressed by a high protective duty, which not only excludes the foreign product, but has created and sustains a domestic monopoly which exacts an excessive price from this entire nation for the benefit of the few.

The proposition is that we shall give Cuba prosperity and benefit ourselves by modifying the laws which exclude her from the markets of the United States, her natural and only profitable market. The counter-proposition is that Cuba shall compensate us and benefit herself by modifying the artificial conditions which operate against us in the Cuban market. The United States maintains a high tariff for protection. Cuba maintains a high tariff for revenue, and cannot support a government without it, under the present conditions. The United States can promote trade with Cuba by abolishing or lowering duties, but Cuba cannot reciprocate by an equal reduction. It must raise a revenue by placing a tax on imports, whether from the United States or elsewhere. As an equivalent for concessions from the United States to Cuba a considerable rebate from the Cuban tariff duties on products of the United States would be effective. Such a rebate would promote the sale of American products in Cuba without lessening the Cuban revenue from import duties, provided the latter were sufficiently high.

The duty on leaf tobacco being \$1.85 a pound on the wrapper, and 35 cents a pound on the filler, there is an incentive for the importation of wrappers declared as fillers. The difference of \$1.50 a pound between these two grades of tobacco is a temptation to dishonesty, and I would advise a reduction in the tariff to 35 cents a pound on all grades of leaf. This I would consider an advantage to the small farmer\* in Cuba as well as to the manufacturer and consumer in the United States.

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\*Wherever the term farmer is used it indicates either a renter or a small landholder who does not convert, but sells, his product.

The reduction on cigars should be at least 50 per cent. of the specific duty, making it \$2.50 a pound and 25 per cent. ad valorem. The reduction on cigarettes should be at least 70 per cent. of the specific duty, making it \$1.35 a pound, and 25 per cent. ad valorem. This latter should be protection enough for the cigarette trade of the United States, without entirely barring out cigarettes made in Havana.

The duty on sugar should be reduced at least 30 per cent. ; and even with this reduction the small farmer in many places on the island would not be able to make any money. The suffering in Cuba would have been very much less, both financially and otherwise, if the United States duty in the last few years had been at least 30 per cent. lower. Such a reduction during the period of small crops and low prices would have materially aided the farmers.

Complaint is general that the merchants and manufacturers of the United States do not study the conditions and requirements of the Cuban market, whereas European merchants keep themselves constantly informed on this point, and show the utmost readiness to meet the buyers' views. Attention to this condition is secondary in importance only to the changes suggested in the tariff. With due regard to this essential and favorable tariff condition, I believe that our export trade to Cuba can soon be increased by at least \$20,000,000 per annum, and very likely a much larger amount.

There are many conditions in regard to labor, etc., which are very important factors in considering the general conditions of the country. These are stated in the general report which is herewith submitted.

### *GENERAL REPORT.*

IN accordance with the request of the committee appointed by your Board of Directors, I sailed for Havana on the 23d of October, arriving there on the 27th, and left the island for home on the 29th of November, reaching New York on the 2d of December.

The instructions of your committee were that I should, by personal observation and inquiry in Cuba, fully inform myself as

to the past and present conditions of Cuba's principal industries and foreign trade, as well as acquaint myself with laws now in force which affect the economic conditions.

With this in view, on my arrival I presented the letters of introduction given me by the Secretary of State, Hon. John Hay, to our United States Minister, Hon. H. G. Squiers, and to the United States Consul-General, Hon. Edward S. Bragg. Through our Minister I was presented to the Hon. Tomas Estrada Palma, President of the Republic of Cuba, who expressed to me his desire to aid me, as the representative of The Merchants' Association of New York, in every way possible. Our Minister also gave me all the assistance in his power to enable me to collect the data necessary for my investigations. I presented the many letters of introduction which I carried with me from New York to some of the leading bankers, merchants, planters and lawyers of Havana. These gentlemen, without exception, extended to me a most cordial greeting, and expressed the desire to help me in every possible way to get accurate knowledge of the conditions existing in Cuba.

As the result of my conference with the men engaged in the leading commercial interests of Havana and other cities on the island, I am convinced that in order to increase the trade between the United States and Cuba it will be necessary, in the first place, to establish a differential Cuban tariff in favor of the United States, granting sufficient concessions to permit our manufactures, in many classes notably superior to any other, to be placed in the Cuban market.

Three invoices are required to clear merchandise without delay. Invoices are required to express in detail the merchandise, and to specify the number of packages, their marks and numbers, and the gross and net weight.

I was informed that in the European markets a system of short weights and measures prevail, that goods are put up in this way by order of some of the Cuban merchants, and that European manufacturers are accustomed to send several invoices for the same goods, each invoice giving a different price, leaving it open to the Cuban customer to choose which invoice to use in passing the goods through the Custom House. This system of fraud, which was employed before the establishment of the United States Government Customs, has been largely done away with through the efficient management and discipline in the Customs Department that were adopted by the American



Government, and are now being continued in force by the Cuban Government.

A great objection to trading with the United States is our system of credit. Large Cuban merchants sell to smaller merchants on thirty days' time. Goods sold to planters are to be paid for after crops have been sold. The merchants state that these accounts run from three to twelve months, and that it is necessary to be very lenient with their customers. Large merchants can buy their goods in the European markets on from three to six months' time, in some cases adding 5 to 6 per cent. interest per annum, or  $\frac{1}{2}$  per cent. per month allowed on advance payments, while the average credit given by United States merchants is thirty days' time, or cash, on sight draft with bill of lading attached. European merchants are very accommodating where debtors wish the time extended.

The loss to the United States in the exportation of machinery to Cuba is due largely to delay in the delivery, coupled with excessive freight charges. Machinery ordered for sugar mills must be put up and in operation when the crop is ready to be moved. If the planter is delayed in going forward with his work a large loss ensues. Parties who have heretofore purchased large amounts of machinery from the United States inform me that it is now impossible to make time contracts for the delivery of the same. They further state that not only do European manufacturers contract and deliver machinery on time, but they also give more favorable terms of payment, and the freight, moreover, is much less from Europe than from the United States.

There seems to be considerable complaint throughout the island against the high freight charges on all kinds of goods from the States. This is assigned as one cause why American manufacturers receive few orders.

Everywhere on the island, in every town and city, I found agents representing merchants of England, Germany, France and Spain. In some places I was shown orders placed in Germany for goods similar to those made in the United States. The merchants told me that they had purchased them for less money than they could have bought them in the United States. Besides, the credit extended was much more liberal than that given by American merchants. They also averred that articles purchased were almost equal in style and finish to those made in the United States. If the merchants and manufacturers of the United States do not soon awake to these conditions, they may wait until the

door is closed and the trade lost, for Cuba is bound to be a rich and great country. The very best way to obviate this difficulty and turn the tide of trade toward the United States would be a compensatory treaty which would admit of mutually beneficial commercial intercourse between the United States and Cuba.

There does not now exist among the merchants and people of Cuba as much desire to enter into reciprocal arrangements as would have been entertained before or shortly after the commencement of the new government.

### IMPORTS AND EXPORTS.

THE United States Consular Reports show Cuba's total exports and imports for each period of six months during the years 1899, 1900, 1901 and 1902. These official figures are as follows:

Year.	Imports.	Exports.	Increase in imports.	Increase in exports.
<b>1899.</b>				
First six months.....	*\$45,911,800	*\$31,000,000	*\$14,311,800	.....
Second six months.....	30,501,700	19,332,100	30,069,000	.....
Total.....	\$75,308,500	\$50,332,100	\$24,370,800	.....
<b>1900.</b>				
First six months.....	\$37,478,200	\$30,086,800	\$7,411,800	.....
Second six months.....	33,601,100	21,866,900	11,315,900	.....
Total.....	\$70,079,300	\$51,453,400	\$18,625,900	.....
<b>1901.</b>				
First six months.....	\$33,668,800	\$42,942,500	.....	*\$9,273,700
Second six months.....	34,089,800	23,556,000	\$10,533,700	.....
Total.....	\$67,758,100	\$66,502,100	\$1,251,000	.....
<b>1902.</b>				
First six months.....	\$31,977,100	\$30,687,000	\$1,290,100	.....
Grand total.....	\$245,113,000	\$199,574,200	\$45,538,800	.....

\* The values are given in United States currency.

The first six months of 1902, compared with the same period of 1901, show a decrease in imports of 5 per cent., and in exports of 28 per cent. Compared with the same period of 1900, a decrease is shown in imports of 15 per cent., and an increase in exports of 2 per cent.

The United States had 44 per cent. of the import trade and 74 per cent. of Cuba's export trade, while practically all of Cuba's sugars and fruits exported during the month of June found a market in the United States.

Of the tobacco exported in that month, over 50 per cent. came to the United States. We supplied almost all of the wheat, flour, corn, crude oil and meats, with the exception of jerked beef, imported by Cuba. The latter article is supplied from South America, because of lower prices. It will probably be impossible for the United States to sell this article or anything similar to it. Canada supplied most of the potatoes, ham, onions and butter, all of which should come from the United States, or be supplied by the home market.

In live stock the trade with the United States should be largely increased. It undoubtedly will be as soon as Americans become interested in the cattle, horse, goat, and other live stock industries on the island. There should also be an increase in the iron, steel, lumber and soap trades with the United States.

The importations of merchandise by Cuba for the month of June for the following years, were as follows: 1899, \$5,242,066; 1900, \$5,747,388; 1901, \$5,137,708; 1902, \$4,831,077.

The exports for the month of June for the same years were as follows: 1899, \$4,473,167; 1900, \$5,051,810; 1901, \$5,435,986; 1902, \$5,722,574; showing an increase in 1902 of over one million dollars over the year 1899.

A careful review of the articles imported by Cuba shows that at least 30 to 40 per cent., in addition to those already supplied by the United States, could, without doubt, be sold by the merchants and manufacturers of this country, if United States products received a compensatory rebate upon Cuban tariff duties, as an equivalent for similar tariff concessions by the United States in favor of Cuba.

For example, consider the imports for the month of June, 1902, amounting to \$4,831,077. There were \$1,477,086 of textile goods, manufactured leather goods, paper and paper materials and live stock, being about 30 per cent. of the whole imports for the month, and of this 30 per cent. the United States supplied \$304,935, or about 22 per cent. of this amount. With a protective tariff of from 20 to 50 per cent. in favor of the United States, placed on these articles alone, the United States should furnish at least 80 per cent., and some merchants say 90 per cent., or about \$900,000 to \$1,000,000 additional to what we at present supply in these four articles, and this month represents one of the smallest for importations during the year. This, also, is not taking into consideration the additional trade which will necessarily come

from the increase in population, which will, undoubtedly, be very large in a few years.

### *CREDITS AND COLLECTIONS.*

**A**NOTHER important factor in the commercial relations is the question of credits and the method of collecting accounts. Reliable merchants and bankers tell me that commercial credits are based in very large degree upon honesty, business integrity and opportunity; and that financial resources are a secondary consideration. The reason is that under the Spanish code, in all Spanish-American countries, the law favors the criminal and the debtor, and if a man, therefore, however rich, is disposed to quibble or invoke legal technicality, he may bother, if not defeat, his creditor. Hence personal character becomes of the first importance in credits. If a man is inclined to be dishonest, it is difficult to collect an account through the courts. If the account is small, it will cost more to collect it than the amount of the account, owing to the system of fees which it is necessary to pay to the court. In case of suit, the complainant must deposit the money for costs.

If a note is taken in settlement of an account, in order to commence suit thereon, the account must be proved from the creditor's books; and the signature of the note must be proved by three outside witnesses, no employee of the creditor being a competent witness. A creditor is also compelled to have all ledgers, journals, cash, inventory and salesbooks made up in a certain way, prescribed by law; these books must be registered, and every page stamped by a Justice of the Peace. If this is not done they will not be received as evidence in the courts.

To remedy these defects, a number of lawyers are now engaged in framing a chattel-mortgage law, whereby moneys loaned or advanced on goods can be collected without delay. This they hope to have passed by the Cuban Congress.

### *FINANCIAL CONDITIONS.*

**I** FOUND the financial condition of Cuba, in all sections of the island, to be very bad. This condition is due to the low price of sugar for the last three years, and losses by bankers and merchants through debts due from planters and merchants, which had

been incurred before or during the last war. The volume of mortgages on plantations is greater now than ever before in the history of the island, and merchants and bankers have been strained to the last point of endurance to carry these debts. It is remarkable how few failures have occurred under these conditions. This can only be ascribed to the faith the large merchants and bankers of Cuba have in the future possibilities of the island. They know that if they receive any fair price for their commodities, they will very soon be able to pay off their debts and be on a firmer footing than they have been at any time in the past. The failures on the island, as reported to me by Mr. Merchant, the Cuban manager of R. G. Dun & Co., from July 1, to October 30, 1902, were fifty-nine, with liabilities of over two million dollars. The failures which occurred within that time are greater, as to the liabilities, than those which occurred in the entire two years previous to that time. This shows the present condition of the merchants in Cuba. Of the failures which occurred in the last eighteen months, thirty-three were in eight towns of the tobacco district of Pinar del Rio, an indication of the bad state of financial affairs in the tobacco district of that section of the island.

### *BANKS.*

THERE are a number of banks and banking houses in Havana, besides agencies of Canadian banks. The principal banks are the Spanish Bank and the National Bank of Cuba, which have agencies in the important cities throughout the island. Large deposits are made in many of the private banking houses, but the Bank of Spain is the largest depository in Havana.

The rate of interest charged by the National Bank of Cuba is from 7 to 12 per cent. on loans, made either on personal knowledge of the man or firm to whom the loan is made, or on two-named paper of parties who are both well known. Most of the other banks or bankers have no limit as to the rate of interest. There is no law compelling banks to make statements, but the National Bank of Cuba and the Spanish Bank issue statements voluntarily. The latter bank is the only bank of issue in Cuba.

It is impossible to secure any reliable statement of the amount

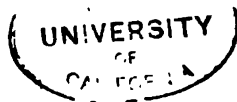
of gold, silver and currency in circulation in Cuba, owing to the old system of hoarding money, and not depositing it in the banks, which custom is still very largely followed by merchants throughout the country. Except in Havana and Santiago very few checks are received in exchange, but gold or currency is counted out. Some of the large concerns carry from \$100,000 to \$200,000 in gold in their safes. Even the Government hoards its money and does not deposit it in banks, as is done in our country. This, of course, curtails the circulation of money. A law providing for the public examination of all banks to be made by some Government official appointed for that purpose would be useful. This might induce a larger volume of bank deposits, as it would assure the depositors of the financial standing of the several banks and result in circulation of the money now hoarded.

It would be beneficial if the Government were to take immediate steps to change the currency. The following statement by a well-known banker truly expresses the situation in this connection:

"A change in our currency is an absolute necessity. Chaos is a fit word to describe our present situation. Some places in the island have as a standard United States currency exclusively; the greater part, however, continue under the old Spanish gold and silver currency, to which is added an important amount of French gold, and also United States gold and silver coins and bank notes, resulting in utter confusion, and harm to trade, commerce and industry. The change is a great necessity, and unless the Cuban Government establishes its own standard, taking into consideration the prevailing official basis, the currency of the United States should be adopted, but with prudence, that we may save the country from another convulsion, after the repeated and remarkable changes just elapsed.

"As you are aware, small payments are made in Spanish silver, the dollar value of which is about 70 cents United States currency, and if this were withdrawn without preparation a considerable increase in the cost of living would be felt immediately, especially in the country districts. A proper time for the change would be, for instance, after our main crops' seasons are over, say about the first of July."

These varying conditions affecting the circulating mediums of the island cause considerable loss to the laboring men, especially on the western end of the island, where the several varieties of currency are most used.



### TRIP OVER THE ISLAND.

AFTER spending two weeks investigating conditions in Havana, I started on my examination of the situation in other places on the island, visiting many cities. I soon found the work laid out would not permit me to reach all of the principal places in the short period of time at my disposal. To make the investigations desired on an island 730 miles long, with an average width of 80 miles, would have required at least two months' time, as the means of transportation at present are mostly by steamboat to connect with the different ports on the island. One cannot stop at any port without losing five days between the sailing of boats. I was, therefore, compelled to restrict my visit to Havana, Pinar del Rio, Matanzas, Cienfuegos, Manzanillo, Santiago de Cuba, Guantanamo, Puerto Principe and Santa Clara, and even this could not have been done except for the courtesy extended to me by Sir William Van Horne, who provided a special train for my return from Santiago to Santa Clara over his railroad, just completed.

There are about 1,900 miles of railroad on the Island of Cuba, of which less than 1,400 are for public passenger and freight service. This mileage includes the new Cuba Railroad. The remainder, about 500 miles, is owned by the sugar estates, but can be used for public as well as private purposes. The principal lines of railroads have been built in the provinces of Havana, Pinar del Rio, Matanzas, and the western part of Santa Clara. The service on these roads is usually a train a day each way. Most of the lines giving public service are owned by English capital, having been purchased since the close of the last war. They have first, second and third class rates for passengers, the first-class rate being about five cents a mile.

The only other transportation facilities are furnished by different steamship lines around the island. The Ward Line, with boats sailing twice a week; the Munson Line, with boats leaving once a week, and the Peninsula & Occidental Line operate between United States ports and Havana. The Menendez Line runs steamers from the principal points on the south coast, sailing twice a week; and the Herrera Line runs steamers to the different ports on the north coast around to Santiago de Cuba, on the south coast, one steamer sailing every ten days from Havana.

The greatest enterprise thus far undertaken on the island has been the building of the Cuba Railroad, from Santa Clara to San-

tiago, a distance of 350 miles. The charter for a road between these points was obtained many years ago by a French syndicate. The necessary survey was made, but the road was never constructed. About three years ago Sir William Van Horne, former president of the Canadian Pacific Railroad, with some of his friends, obtained the rights which enabled him to build this road, the main line of which was finished a few days before I left the island. He has obtained rights of way for various branches to important places throughout the length and breadth of that part of the island. The construction of the road to some of these places has been commenced.

It was a great privilege to be enabled to pass through a country which had never been traveled even by many of the oldest inhabitants of the island. The building of this road will do very much for Cuba's development and prosperity. It opens up an extensive timber country, to the great benefit of the owners of the land, as well as the commercial interests of the island. These lands, when cleared, have proved to be the most productive for all kinds of farming purposes. This company, having bought large tracts along the line of the road, intends to establish an experimental bureau to find out to what the lands are best adapted. The timber lands extend for over one hundred miles along this line. In them are found all the principal varieties of timber trees indigenous to the island.

The road also runs through about two hundred miles of the finest pasture lands on the island. Before the Ten-Year War many large herds of cattle were kept on these lands. After the experiments have been made by the company, they purpose selling the lands to small farmers. This will give an opportunity for the immigration of people from the United States who desire to obtain a home where there are no frosts and where the climate is all that one could desire.

The principal points of interest on the railroad, after leaving Santiago de Cuba, are Crispo and San Louis, in the vicinity of which there are several large sugar plantations. At Nipi Junction, fifty miles from Santiago, a branch is being built to Nipi Bay, on the north coast. This bay is said to be one of the finest harbors on the island. From this point this company expects to make shipments to the United States and Europe of all the timber and other products raised in that portion of the island adjoining the railroad and nearest to this point.



In the vicinity of Nipi are some of the largest sugar plantations on the Island of Cuba.

The next point is San Pedro, twelve miles from Holguin, from which latter town there is a line of railroad running to the port of Gibara, another important place, near which there are some extensive sugar plantations.

In the city of Puerto Principe, the capital of the province of Puerto Principe, which is about two hundred miles from Santiago by this line, I predict will be found in a very few years the homes of many wealthy families of the United States. The country round-about is rolling, dotted with royal palms, and the scenery is picturesque and attractive. The lands are most fertile for all kinds of tropical fruits. This is the center of the most extensive pasture land district of the Island of Cuba. Undoubtedly it will be much used for pasturage in a very few years.

The Cuba Railway crosses the Jucaro and San Fernando Railroad (which belongs to the Government) at a town called Ciego de Avila. The Government road was used by the Spanish troops during the occupation of the island. It has been leased by the Cuba Railroad Company.

From this point one travels through pasture lands to the line between the provinces of Puerto Principe and Santa Clara. From a few miles beyond this point to Santa Clara one again passes through numerous sugar estates located on the line of the road, one of which, the Colonia Maria, is one of the largest on the island. Santa Clara is the terminus of the road. At that point the line connects with the road running into Havana, over which it has arrangements for through traffic, both passenger and freight.

In traveling over the island it is plain to be seen that one of the greatest necessities is that the Government should build first-class highways at different points across the island, as it is almost impossible during the rainy season to travel or carry on traffic over the present highways. Good roads would tend to open up the unused lands and make them available to immigration; and would thus tend to promote the development of the island.

## LANDS.

**T**HE Island of Cuba contains about twenty-eight million acres of land, twenty millions of which are uncultivated, and about thirteen millions covered with forests. A little over two million acres have been used for sugar cane, while less than one million acres have been used for the raising of tobacco.

There are comparatively few public lands in Cuba whose titles are known to be in the Government.

In many parts of the island there are large tracts of land which have never been used, the titles not having been accurately settled. Nothing of greater advantage could be done by the Government than to make a public survey of the lands, lay them out in square-mile sections, and have all titles proved up under this survey. A suggestion looking toward this was made by Sir William Van Horne to General Wood when the latter was Military Governor of the island.

As a rule the limits of the old Spanish land grants are ill-defined. An accurate Government survey would delimit them in large part, and establish Government titles to large tracts whose ownership is now obscure. Some equitable and uniform system for defining limits and titles, and thereby removing the present hazard attending land transfers could doubtless be devised, and would do much to further the general sale of cheap Government lands to small holders—an essential to the influx of new and progressive population. All disputed titles could be settled by making the Government trustee for the unknown owners. The Government could thus give title by accepting the money in trust in case of a sale, and holding the proceeds for the one proving title, or by assessing all lands and selling them under tax sales, by which latter means a perfect title could be obtained.

Several companies have purchased large tracts of land in different portions of the island, are now surveying them, and purpose making experiments in raising cotton, tobacco and all kinds of cereals and products not heretofore raised on the island. When they have learned what can best be produced, they intend to sell the land to small farmers or planters who may come from different parts of the world.

There are a number of so-called "wildcat" schemes being promoted on the island. Agricultural bureaus and experimental stations in the different parts of the island would assist legitimate

enterprises and stop all of these schemes, by giving reliable information as to the actual conditions, thus protecting the small investor, who has so often been defrauded of his money by misrepresentation.

### *MINERALS.*

**T**HE mineral resources of the island have not been extensively explored. It is known that there is copper in the mountains all over the island, but whether in paying quantities has not yet been developed. There is also iron, lead, gold, silver, manganese, asphaltum, salt, bituminous oils, sulphur, quicksilver and marble. The marble is found in a very fine quality on the Isle of Pines.

The principal mining industries at the present time are located near the city of Santiago de Cuba, where the iron and copper mines employ about two thousand men. It is said that these properties are run at a profit. Manganese is also mined at a profit. It is said that a number of beds of asphaltum have been discovered in the province of Santa Clara, and that such beds exist in other provinces on the island. All these are open for future development.

### *TIMBER.*

**T**HE Island of Cuba has large forests of timber, the principal woods being mahogany and cedar. There are, however, many other hard and durable woods suitable for building trimmings, veneering, etc., but the tariff operates against the exportation of manufactured lumber to the United States. Last year there were shipped to Europe from the port of Manzanillo over seven million feet of mahogany and over ten thousand tons of other woods. The Cuba Railroad will do much toward helping this industry, if favorable reciprocal arrangements are made with the United States.

## SUGAR.

**T**HE sugar industry of Cuba is the dominant one of the island, and will continue so for many years. The principal sugar producing areas are in the provinces of Pinar del Rio, Havana, Matanzas, Santa Clara and Santiago de Cuba. At the present time the great mass of sugar comes from the Matanzas and Santa Clara provinces, although the largest plantations are located in the province of Santiago de Cuba.

Throughout the island I found a great many abandoned sugar estates. Those located in the central portion of the island, especially where the lands are old, do not pay under the present conditions, because the lands have to be fertilized, which adds greatly to the cost of production. The additional cost of getting the cane to the mill or to shipping points also increases the expense. The yield per acre of cane falls so much below the yield of the lands which are adjacent to and near the coast, that it is impossible to make them pay at the present prices of sugar.

The sugar-cane industry throughout the island has suffered greatly from different causes, but the past history of it, as gathered by me, is proof that the present conditions are not entirely due to last year's low prices of sugar, but to other factors which are hereafter referred to.

This industry was established in Cuba during the first quarter of the last century, at which time coffee cultivation was abandoned for the more profitable cultivation of sugar-cane. The same methods of producing sugar continued until the last quarter of the last century. Then an important change in the industry was made by the general substitution of steam (which had been but little used up to this time) for horse-power for operating the sugar mills. Open sugar-cane trains are used. Muscovado sugar and a high grade of molasses were produced. Negro slaves were employed. Some plantation owners hired the slaves, who were paid from \$17 to \$20 in Spanish gold monthly, with food. The average plantation was worked by from two hundred to three hundred slaves—men, women and children. The price of sugar was as high as 8½ cents a pound. A hogshead of molasses was worth as much as \$30 in Spanish gold. Each plantation cultivated its own sugar-cane. The average yearly output of a plantation was about 1,000 hogsheads of sugar of 1,500 pounds each, and 333 hogsheads of molasses, with 175 gallons to the hogshead.

In 1880 slavery was abolished, subject to a plan of gradual emancipation. A system of colonias (sugar-cane farmers), separate from the sugar estates, which estates became known as centrales, was initiated at this period. About 1885 the railways commenced transporting sugar-cane from distant colonias to the centrales along the line. Private branches were also built and became general, connecting the public railways with the mills.

About 1885 green bagasse<sup>1</sup> furnaces were introduced. These, together with the double grinding-mills for crushing the cane, represent the last steps of progress in the improvement of the Cuban sugar industry. The double grinding of the cane increases the extraction of the juice from about 56 to 68 per cent. (and sometimes more) of the weight of cane. The bagasse furnace did away with the handling of the green bagasse, which had theretofore to be dried in the sun. Labor at that time was paid from 60 cents to \$1 a day. Cartmen received as much as \$34 a month, Spanish gold.

After the Ten-Years' Rebellion (1868-1878), the ownership of lands and sugar estates, which until then had generally been held by Cubans, in great measure passed over to the Spaniards. This ownership continued until lately. The cause of this may be attributed principally to the abolition of slavery.

The great disturbance in conditions in Cuba was due to the emigration of wealthy families, the confiscation of their property by the Spanish Government, and bad management of estates and plantations consequent upon lack of ability and experience in dealing with the new methods of business which were introduced. The fall in the price of sugar was then about 3 cents per pound, and at times it was even greater.

During the ten years preceding the last rebellion (1885-1895), the new conditions required qualifications of a higher character successfully to operate the sugar plantations. These new conditions were improvements in sugar machinery, the system of small farmers, the transportation of the cane by railways, and the necessity of reducing the cost of production. The owners of most of the estates and the managers employed were not capable of efficiently dealing with the new situation. The old plantations producing crops of a thousand hogsheads (5,000 bags) disappeared entirely. The new plantations produced from 20,000 to

<sup>1</sup>Bagasse is the sugar-cane after it has had the juice pressed out. It is now used for fuel.

50,000, and sometimes 100,000 to 150,000 bags of sugar of 310 pounds each. To obtain this result a large investment of capital was necessary. The mill owners were obliged to go heavily into debt after having exhausted their own means. Lack of experience and technical knowledge were very often the cause of failure in this regard. Large sums were unwisely invested, not only in the injudicious purchase of machinery, but in advancing money to small farmers, who failed to live up to their obligation to use the money in planting cane. Sometimes a second rolling-mill was put in without considering that other portions of the mill would also have to be enlarged. To accomplish this would necessitate borrowing additional money. The economical working of a sugar estate depends largely on regular and continued work during the grinding season. In effect the new conditions demand better organization, a higher degree of technical skill, and advanced scientific methods of manufacture. The owners of many sugar estates in Cuba will not trust the management and working of the estates to trained, technical hands. It is often a question of pride with them. They usually have no technical knowledge in mechanics, agriculture or matters pertaining to business. A great many of them are lawyers, doctors, bankers and merchants. The properties are placed in the hands of some relative or person who has no knowledge of the methods necessary to conduct the business. The result is failure.

One of the causes of a large or small crop, independent of management, is the rainfall. A rainy season will give a large crop if the rain falls at the right time. A dry season invariably diminishes the size of the crop.

The invasion of the island at the end of the year 1895 stopped the working of most of the sugar mills. The burning of the sugar mills and cane fields continued until 1898. The advances which had been made by the merchants and bankers to the planters before the summer of 1895 could not be repaid. The amount of money laid out for grinding was, therefore, lost. The Weyler decree extending the foreclosure of mortgages was a good measure, but the new extensions of that decree, with modifications, did great harm to the credit of the sugar planters. After the war, in 1898 and 1899, a great effort was made on the part of the sugar planters to resume work. Extensive planting of sugar cane was made, but owing to the drought in the summer of 1899, the crop from the new growth, which first matured in that year, was almost a complete failure.

The crop had been in 1895, 225,000 tons; in 1896, 212,000 tons; in 1897, 305,000 tons; in 1898, 336,000 tons; in 1899, 300,000 tons. This drought was the hardest blow to the sugar industry at this period, and delayed the possibilities of recuperation two years. The crops of the following years, 1900-1901, were 636,000 tons, 1901-1902, 850,000 tons, but the price of sugar was very low. In 1902 it went as low as 31½ cents, Spanish gold, per arroba (25 pounds). These conditions in the past, coupled with the low price of sugar in the last few years, explain the cause of the distress among the merchants, planters and bankers in the Island of Cuba.

The man who is suffering the most is the colono, or small farmer, as it is impossible for him to make any money with the present price of sugar, or even with a small advance. In many cases where I found planters were able to make money, it was at the expense of the laborer, who worked simply for his living in order to secure employment. Inquiry made of many plantation owners as to the price of labor developed that the common laborer receives from 40 cents in Spanish silver to as high as \$1 a day in American gold, varying as to location on the island.

I have made estimates from figures given me by planters in various parts of the island, and have discovered that for the colono to make any money, allowing him 5 per cent. of the sugar extracted, which is more than an average allowance, he would have to get at least \$3 for 100 arrobas<sup>2</sup> of cane delivered at the mill.

The cost of production and milling varies, owing to the quality of lands, the location, the quantity of cane grown upon the land, the percentage of yield from the cane, the question of freights, lighterage, storage and other incidental expenses, which make the absolute cost of the different plantations vary according to the locality. For instance, in the vicinity of Santiago, fields of cane were cut last year that had been planted thirty years ago, and yielded a product of 40,000 arrobas<sup>3</sup> to the caballeria,<sup>4</sup> while in other sections of the island cane only four years old will not yield over 25,000 arrobas per caballeria. In some cases, the cane will not last over four years, when the ground must be replowed and the cane replanted. This is an item of expense varying from \$800 to \$1,200 a caballeria. Another important item is the percentage of saccharine. Cane on new lands usually will yield a larger tonnage but less percentage of sugar. The percentage

<sup>2</sup>An arroba is 25 pounds.

<sup>4</sup>A caballeria is 33½ acres of land.

of sugar obtained from cane by the mills varies from 9 to 11¢ or from 225 pounds to 290 pounds of sugar to a ton of cane. This is attributed to the management of the mill, or to the quality of the cane, or both.

I do not think that the sugar product of Cuba can advantageously exceed two million tons, as the old lands are becoming so impoverished that fertilization is necessary. This makes cultivation too expensive for profit. The substitution of new lands located convenient to shipping points will not be sufficient to make up for the loss caused by the necessary abandonment of impoverished lands elsewhere.

### TOBACCO.

THE second largest industry of the island is tobacco growing and the manufacture of cigars. Tobacco is cultivated principally in the provinces of Pinar del Rio, Havana, Santa Clara and Santiago de Cuba, and to some extent in all of the other provinces. Very little, except that raised in Pinar del Rio, Havana and Santa Clara provinces, is shipped to the United States, as that from other parts is of an inferior grade, not marketable here.

The finest grades of tobacco are grown exclusively in the province of Pinar del Rio. According to the reports I received from the merchants there, the majority of the small planters have been wiped out of business through their indebtedness to the merchants. A few years ago many small planters owned their plantations of two and three caballerias. The land in this section has deteriorated somewhat by the lack of proper fertilizing. The planters say that they cannot afford to fertilize, owing to the low price obtained for the leaf.

I believe that a reduction in the tariff on leaf tobacco to a uniform duty of 35 cents a pound would be the means of very materially assisting these small planters.

A considerable quantity of tobacco is raised and sold in the Havana province, but it is not of the same grade as that produced in Pinar del Rio. In my opinion, the tobacco industry cannot be increased very much, as the lands on which to raise the fine grades seem to be limited to a certain section of country in the Pinar del Rio district.

Most of the crop raised in the province of Santiago de Cuba,



known as the "Yara" tobacco, is shipped to Germany. The shipments of this grade of tobacco last year from Manzanillo amounted to about 3,000,000 lbs., which sold at an average price of 9 cents per pound.

The "Remedios" tobacco, considered the second best grade cultivated in Cuba, is grown in certain sections of the Santa Clara district. This tobacco is extensively shipped to the United States.

In the vicinity of Santa Clara most of the planters have been compelled to abandon their places owing to the low price of tobacco and the deterioration of quality, because of lack of fertilizing.

At a place called Manicaragua, in Santa Clara province, there is quite an American colony, whose members let their places to small farmers. Each man in the small farmer's family generally cultivates about two and one-half acres. The people in this section are suffering very much, owing to the present low price of tobacco. The owner calculates that one man can take care of from twenty to twenty-five thousand plants. Labor in this section is paid from 50 cents to \$1 per day in Spanish silver. In the cutting season some laborers earn \$2 per day, but this high scale of wages is only paid during a short season. The owners of the land usually contract with the small farmers for its cultivation, and receive as rent one-third of the tobacco raised. The owner also advances the money for living expenses or furnishes the necessary food. For food advanced, he charges in Spanish silver and collects in Spanish gold for the tobacco sold, which makes a difference of 20 per cent. in favor of the landholder. With the lands, the owner supplies the necessary tools, houses and work animals. In Cienfuegos, the present prices of tobacco raised in this locality are as follows:

First quality, \$25 to \$35 (Spanish gold) per cwt.

Second quality, from \$10 to \$15 (Spanish gold) per cwt.

Third quality, from \$10 down (Spanish gold) per cwt.

At these selling prices the small farmer is losing money on his crop. The first quality consists of from 10 to 40 per cent. of the crop, dependent upon the soundness and size of the leaf, while the second quality runs from 10 to 40 per cent. of the crop, both together never amounting to over 60 to 70 per cent. of the entire crop.

### *CIGARS.*

THE cigar industry of the island, the annual volume of which is estimated at about five hundred million cigars, one-half of which are consumed by the United States, would be very much helped by a reduction in the tariff of at least 50 per cent., without causing any injury to the manufacture of cigars in the United States, as the annual consumption of cigars in this country is estimated to be in the vicinity of six billions. If we were to take the whole production of the island of Cuba at this time, it would amount to but one-twelfth of the quantity of cigars sold in the United States. It would give American smokers a very fine grade of cigar, now excluded from the United States and sent to Europe because of our high tariff. I consider that this branch of the Cuban cigar industry is injured by our high duty, without benefit to our own trade, as I do not believe there are, in the whole island, enough lands adapted to the raising of first-class leaf tobacco to produce a quantity sufficient to materially affect this country's product.

### *COFFEE.*

BEFORE the war of 1895, there were produced in the Santiago district over 200,000 quintales (1 quintale of coffee represents 100 pounds), which brought from 14 to 20 cents a pound. Before the Ten-Years' War, which began in 1868, there were over 250,000 quintales a year produced. In this section of the country there were about 7,500 quintales raised last year. The coffee is sold at from 8 to 10 cents a pound. The quality of the coffee is fine, but owing to the great development of coffee-growing in Brazil and the very low labor cost of Brazilian coffee, Cuban planters are unable to compete. The production has, therefore, been very seriously decreased.

### *CACAO.*

IN the Guantanamo district cacao is now raised, and a very profitable business in it could be done if the industry were pushed, the freights to this country lowered, and the duty taken off. I am informed that one caballeria of land devoted to the cultivation of this product will produce from 120 to 150 quintales

a year. The price ranges from 12 to 17 cents a pound. The cost of cultivation would be about \$1,000 a caballeria, but the young plants reach maturity and become productive only after seven years' growth. Most of the cacao plantations were destroyed by the insurgents many years ago, and have not been restored.

### *CORN.*

CORN can be, and to some extent is, raised, but it does not harden and will not keep as Northern corn. It is soft and milky, makes good feed, and it can be grown in almost every part of the island. It is claimed that three crops a year are raised in some places, but two crops a year is the rule.

The American colony located at Manicaragua, in Santa Clara province, raised corn as a counter crop with tobacco, taking two crops a year off the land. There is not much profit, however, because the laborer is not accustomed to utilizing American methods of cultivation.

The corn is sold in the ear with the husk on by the thousand, at from \$2 in October to as high as \$6 and \$7 per M in April and May, Spanish silver. Where the small farmer uses hired land and plants corn, the owner gets one-third of the corn raised. The crop is very uncertain, too much dry weather affecting it considerably. One farmer stated to me that on twenty-five acres he had raised 100,000 ears of corn. Fifty thousand he sold at \$5 per thousand. The rest he fed to the pigs. The next year on forty acres he only raised 100,000 ears, the most of which he had to feed to the pigs, as it was not of a marketable size.

### *RICE.*

I N the Santa Clara province district, as also in other portions of the island, the cultivation of rice has been experimented with, but so far it has been found that the cost of raising it is more than the market price.

## POTATOES.

SWEET potatoes grow in abundance, and the yield is very bountiful. Quantities of these are shipped to the United States, but the profits are not very satisfactory.

## VEGETABLES.

THE natural vegetables of the island, such as the malangas and yuca, afford considerable profit to planters located near villages or towns. One small farmer near Pinar del Rio informed me that working mostly "after hours," by moonlight, he had raised on two acres a thousand arrobas of malangas, which he sold at 50 cents an arroba. The same man told me that one thousand arrobas of yuca could be produced on two acres. For this he could obtain 25 cents an arroba. The soil throughout the island is such that all kinds of vegetables can be raised, and it seems strange that many vegetable products, such as onions, should be imported.

## CATTLE.

ONE of the greatest industries before the war was the raising of cattle. It is said there were then over one million head of cattle, but the devastation wrought by the Insurgent and Spanish armies almost wiped out the industry. To revive and encourage it, many people in the United States and other countries are shipping cattle into the country. The best grazing lands are in the provinces of Puerto Principe and Santiago de Cuba.

Cattle fatten quickly, and their meat is very tender. The grass grows abundantly, and is very nutritious. Four-year-old cattle, costing \$35 a head laid down in Manzanillo, are being imported from Venezuela, Colombia and Mexico. In one year's time, without any cost, except that of herding, the cattle will sell for \$43 a head. The loss by disease is very slight. If this industry is properly fostered a very large export business from Cuba may be done in a short time.

A number of American colonists have introduced improved breeds of cattle. They are so well satisfied with the results that they intend to continue and increase their importations.

American ~~horses~~ are also being brought into the country. Those who have made the ~~experiment~~ say that they are doing well, and expect to work up a profitable ~~business~~ in that line.

Some few people are endeavoring to raise Maltese ~~goats~~. It is estimated that there are from ten to fifteen thousand goats on the island. The average Maltese goat produces from four and one-half to five pints of milk a day. The cost of a good milch goat in Malta varies from \$10 to \$25. A number of Americans are looking into this industry, with the idea of developing it extensively.

### *CANNED MEATS.*

**M**OST of the canned meats now sold in Cuba come from Spain. They are now subject to a tariff of about 25 per cent. There is no reason why the United States should not supply these goods. This industry should have attention by those who wish to promote reciprocal trade with Cuba.

### *PINEAPPLES.*

**T**HE raising of pineapples and bananas is a considerable industry, and is increasing every year. At the prices now prevailing, pineapples can be profitably raised. Many Americans are taking up this enterprise in a small way. The "red lands," principally located in the Havana province, are best adapted to the purpose, but pineapples are grown in every part of the island. Owing to the close proximity of Havana as a shipping point, better results have been obtained thus far in that section.

Pineapples are planted in combination with bananas, and produce a crop one and one-half years after planting. The pineapple plantings, if kept in good condition, last six years, while the banana crop must be replanted every three years.

One of the leading planters of these fruits, located between

Punta Brava and Hoyo Colorado, in the Havana province, furnished me the following table:

PINEAPPLES.

Estimated profit on one caballeria (33 1-3 acres) of land for six years:

- Estimated total crop, first year of productivity, 16,200 dozen, sold at 32 cents a dozen .....	\$5,670	
- Rent of land, cost of planting, plowing, cultivating, shipping to market, etc., for first year .....	4,531	
- Profit first year.....		\$1,139
- Estimated total crop second year, 14,400 dozen, sold at 32 cents a dozen.....	4,320	
- Rent of land, cost of plowing, cultivating, shipping to market, etc., for second year..	2,240	
- Profit second year.....		2,080
- Estimated total crop third year, 11,340 dozen, sold at 32 cents a dozen.....	3,402	
- Rent of land, cost of plowing, cultivating, shipping to market, etc., for third year..	1,934	
- Profit third year.....		1,468
- Estimated total crop fourth year, 10,530 dozen, sold at 32 cents a dozen.....	3,159	
- Rent of land, cost of plowing, cultivating, shipping to market, etc., for fourth year..	1,853	
- Profit fourth year.....		1,306
- Estimated total crop fifth year, 8,910 dozen, sold at 32 cents a dozen.....	2,673	
- Rent of land, cost of plowing, cultivating, shipping to market, etc., for fifth year...	1,691	
- Profit fifth year.....		982
- Estimated total crop sixth year, 8,100 dozen, sold at 32 cents a dozen.....	2,430	
- Rent of land, cost of plowing, cultivating, shipping to market, etc., for sixth year...	1,610	
- Profit sixth year.....		820
Estimated total profit on pineapples.....		\$7,795

There are exceptional cases in which the seventh and eighth cuttings are possible; then the decrease in yield is less than the one stipulated.

## *BANANAS.*

ON banana crops cultivated on the same ground with pineapples a profit of \$200 per caballeria can be made the first year, \$170 the second and \$120 the third, making \$490 in three years, after which the bananas are replanted. The proceeds from the second three-year term is likewise \$490, making a total of \$980 for the bananas during the six-year productivity of a combined pineapple and banana plantation.

The total profit on the pineapple and banana crops per caballeria can, therefore, be about \$8,775 for six years, an average of \$1,462.50 per year.

## *ORANGES AND FRUITS.*

ORANGES are extensively cultivated in the Havana province. An orange grove, said to be among the largest in the world, has been planted there by an American, but no results from which to gather exact data have as yet been obtained. Favorable conditions of climate and soil seem to guarantee, with proper cultivation, better results in orange production than in any location in the United States, where there is always danger of frosts, from which Cuba has complete immunity.

The natural fruits of the island, such as cocoanut, mameyes, pomorosas, guanabanas, maranon, yapotas, mangoes, figs, plums and many others grow abundantly in almost every part of the island, but they are not cultivated or grown for market in any place on the island to any extent, except in the vicinity of Havana. This industry, if proper freight facilities are accorded, can be very largely increased. There is one large concern doing an extensive business in this line.

Cocoanuts, rum and picadura are products that are sold in small quantities to the States. More rum is exported to England than elsewhere.

## *THE CUBAN GOVERNMENT—PAST AND PRESENT.*

THE past history of Cuba has been a series of revolutions and internal wars. During the Ten-Years' War, from 1868 to 1878, when the country was in a state of insurrection, and when the principal industries of the country were destroyed or

continually jeopardized by the Insurgent and Spanish armies, and again from 1895 until the return of peace in 1898, Cuba endured sufferings of a degree happily unknown in the modern history of most nations.

The last war, begun in 1895, although led by some of the popular generals of the Ten-Years' War, was not so thoroughly supported by the adherents of the popular cause during the first war as was generally supposed. But, nevertheless, the Cuban people, as a whole, were unable to endure the restrictions laid upon them by the Spanish officials in control of the island and recognized by the Spanish Government. All Cubans felt that there was but one way to relieve their condition, and that was to strike for freedom. The result we know.

Then came the period in which the United States Government took charge of the island, as a preliminary to transferring it to a free Cuban government. At the time of making the transfer there remained unsettled by our Government the very important questions of our future commercial relations with Cuba, and of a sound circulating medium of money to be used throughout the island. The result was that the financial and business affairs of Cuba were left in an unsettled condition. Difficult and dangerous problems confront the new Government in consequence; and to settle them in such a manner as to restore prosperity the friendly aid of this country is needed.

### THE CUBAN REVENUES.

**I**N the collection of customs Cuba has received a maximum amount of money at a minimum cost, as will be shown by the receipts and disbursements for the month of June (the least favorable month), 1899, 1900, 1901 and 1902:

#### COLLECTION OF CUSTOMS.

June, 1899,	Collections, U. S. Government.....	\$1,332,168.67
	Disbursements .....	125,370.14
	<i>Net</i> .....	1,196,798.53
June, 1900,	Collections, U. S. Government.....	1,413,682.04
	Disbursements .....	138,140.80
	<i>Net</i> .....	1,275,541.24



June, 1901,	Collections, U. S. Government.....	1,216,349.04
	Disbursements .....	86,313.76
	<i>Net</i> .....	1,130,035.28
June, 1902,	Collections, Cuban Government.....	1,189,818.28
	Disbursements .....	70,315.33
	<i>Net</i> .....	1,119,502.95

A surplus of over \$1,600,000 had been accumulated between May 20 and November 1st, 1902, to some extent, however, by reducing outlays for sanitary purposes, thereby endangering the health of the island.

During the short period which the Cuban Government has been in control, little, if anything, has been done toward settling its financial conditions, as to the money required to relieve the present demands for the payment of the Cuban army, which was a part of their agreement of settlement with the United States.

There has been pending before the Cuban Congress for some months a bill to raise four million dollars, introduced by the former Secretary of Agriculture, to be used as loans among the cane growers and stock raisers. After considerable opposition, the Cuban Senate passed the bill authorizing the President to negotiate a loan at the minimum price of 90, payable at the end of thirty years, with interest not to exceed 5 per cent., the Republic of Cuba to have the right to take up the bonds of such issue at any date of maturity of interest, and to either pay for them in cash or by bonds of a subsequent issue, at the option of the bondholders.

The same bill also directs the Executive at the end of six months to negotiate a loan of \$35,000,000, of which \$4,000,000 shall be applied to canceling the bonds of the first-named issue, and the remainder to the debts of the revolution and the payment of the Cuban army.

It is further provided that interest and sinking fund are to be secured by a part of the customs of the island.

Since the above action in the Senate, the lower House has passed a bill authorizing a loan of \$35,000,000 outright, payable in forty years, at the same price and rate of interest as is provided in the Senate bill, with the revenues of the island as security.

In the meantime the Secretary of Agriculture has resigned, and neither bill has become a law.

The payment of the Cuban army is a matter of vital importance. Dissensions and feelings of revenge are shown at every opportunity because this payment has not been made. Unless something is done there is fear among those who are financially interested in the island that political trouble will arise.

A standard currency circulation throughout the island, which has heretofore been referred to, might be taken up by the Cuban Government with advantage.

The question of Government surveys of land, also heretofore spoken of, is an important factor in the future welfare and happiness of the present inhabitants, and in the prosperity of those who may hereafter become residents of the island. Economical management and expenditures are very necessary for the new, and as yet unsettled, Government. The expenses for carrying on the government of this island, with a population of about 1,600,000 people, are much greater pro rata than they are in the United States.

As the revenue for the support of the Government at the present time is obtained almost entirely through the customs, it is necessary that reciprocal tariff arrangements between Cuba and the United States should not be on a basis of reducing the present duties, indispensable as a source of revenue, but, as has been suggested, by a high tariff against all foreign countries, with a rebate in favor of the United States. The sooner the Cuban Government takes up the question of direct taxation, the better it will be, for that will relieve the present necessity of supporting the Government wholly from the customs revenues which now bear very heavily upon the poorer classes.

Under the present Cuban Government the enormous burden of taxation which was borne under Spanish rule has been removed. Cuba is, therefore, no longer compelled to raise revenue to meet the following former expenditures. The items removed are:

	<i>Per Year.</i>
1. Interest on the former debt to Spain.....	\$10,000,000
2. Platt Amendment, which makes an army unnecessary .....	5,000,000
3. Platt Amendment, which makes a navy unnecessary .....	3,000,000
4. Separation of Church and State relieves Government of the Church Tax, which amounted to about.....	2,500,000

With this relief at hand there is no reason why the Cuban Government should not become prosperous and stable, unless overthrown by the politician who has at heart his own personal gain more than patriotism or the welfare of his country.

### *MUNICIPAL AFFAIRS.*

**T**HE affairs of municipalities are arranged by a Mayor and Aldermen elected by the people. There are several times as many officeholders in the employ of the municipal government, in almost every place on the island, as is necessary for the conduct of the public business, and the expenses of the municipal government are excessive.

Municipalities derive their revenue from various sources and forms of local taxation, such as licenses for horses and carriages, taxes on animals slaughtered, on the public market privileges, and on eatables sold in markets. Where there are water-works and sewers, taxes for their use are laid on consumers. Income taxes are imposed on real property in use; if it has no income, it pays no tax.

In several cities I found that the National Government had cut down the allowances for sanitation, police, drainage and aqueduct service made by the military government of the United States while in power. In some instances the appropriation for police, to July 1st, had been thrown entirely upon the municipality. The cities, towns and villages themselves had to provide the means for the local sanitary and police systems, which naturally come under local jurisdiction. The cutting down of the National Government provision for the proper maintenance of the sanitary conditions of the island is a very serious matter, which will greatly affect the health of the people if immediate steps are not taken by the national or municipal governments to enforce the sanitary measures which prevailed during the occupancy of the island by the United States.

In Santiago de Cuba, where the streets were cleaned every day, the National Government cut down the appropriation so that they are now being cleaned only three times a week. In some other places on the island the conditions are not as good as at that point.

In Havana, thus far, although things have been in pretty good shape, the sanitary conditions are not up to the standard maintained under our Government.

The City of Havana has arranged for a loan to carry out a contract, made last year, for paving and sewerage the city, at an approximate cost of \$12,000,000. The contract was entered into between the city of Havana and a banking firm, previous to the turning over of the Government, for an issue not to exceed \$28,000,000, for the purpose of funding the present bonded debt and floating indebtedness, and providing funds for paving and sewerage. The present indebtedness is about \$13,000,000, of which \$10,000,000 is in first and second mortgage bonds, with a floating debt of \$3,000,000. The bonds are secured by a lien on the city waterworks, markets and slaughter-houses, the revenues of which are more than sufficient for the purpose. Additional security for the sinking fund and interest on this loan is provided by real estate and sewer taxes and an annual contribution by the Republic.

The real-estate tax above mentioned is 12 per cent. on the income of improved property.

The sewer tax referred to is on improved property, which must be connected with the sewers, the tax assessed being according to the character of the improvement, much the same as water rates are often fixed in the United States.

The security also includes all other property belonging to the city, together with the income from franchises and licenses.

It does not appear possible that the municipal government of Havana will be able to secure the necessary income to provide for this new debt, to provide necessary funds for the maintenance of the city, and for other necessary improvements, in addition to keeping up the sanitary conditions and proper policing of the city of Havana, without assistance from the National Government.

### *SCHOOLS.*

THE system of public schools established by the United States Government is still continued, but with a lack of attendance, and in many cases inefficient teachers have been chosen through political favor to take the places of those who were efficient and who were employed during the time of the occupation of the island by our Government. In one place I was informed that the teacher could not read, and simply held the position through

political backing. The law compelling children to attend school has become a dead letter since the withdrawal of American military rule. In most places there are no public school buildings, but private dwellings, which are very poorly adapted to the purpose, are rented for schools.

### LABOR.

THE population of the island at the present time is estimated at about 1,600,000, of whom 550,000 are colored races, comprising negroes, mixed breeds and Chinese, the native and foreign whites numbering about 1,050,000. It is estimated that about two-thirds of the adults holding family relations are legally married; about one-third live under the common law, or without lawful status. Seven-eighths of the population were born in Cuba, and one-eighth are of Spanish and other nationalities.

The population of the cities amounts to 50 per cent. of the inhabitants of the island. The voters are about 450,000, and nearly one-half of these can neither read nor write. With this condition of affairs it can well be seen how easily the government of the people could be misled by bad political leaders, as the ignorant class is subject to the beck and call of the politician.

That there has been distress among the poorer people in the cities there is no question—more than was ever known in the history of the island, except during the period of reconcentration enforced by General Weyler, when such terrible conditions existed that thousands of people died from starvation.

This condition could be greatly relieved by the government department of relief, the selection of lands in the different parts of the island and the locating of these people upon them. With such initial aid they could raise enough vegetables and fruit to supply them with food, and, during the busy seasons of the cane, tobacco and other industries, could find sufficient work to keep them in comparatively comfortable circumstances.

Labor unions exist in different trades, such as the stevedores, carpenters, bakers, cabmen, cigarmakers and some other industries. Up to the present time, there has been no union of field or common laborers, although during my stay in the island, when the strike of the cigarmakers was going on, circulars were issued in different parts of the island, asking that a union be organized among the laboring classes in the sugar districts, but

the movement had not taken any definite form up to the time of my departure.

The price for farm labor on the sugar plantation averages from \$17 to \$20 a month, Spanish silver. If laborers board on the place (which they usually have to do), they are charged \$8 a month for their board, leaving them from \$9 to \$11 a month with which to support their families. The demand for this labor exists only about six months of the year—in the seasons of work. The skilled laborers employed in the sugar mills are usually paid better wages, and in Spanish gold.

From investigations made among the laboring classes on the island, outside of the cities, I am satisfied that there never was any cause for saying that starvation existed in the case of most of the poor people. If any one will work, the soil will produce sufficient to afford a living, and he can obtain land in all parts of the island, upon which he can produce enough to prevent him from starving. The greatest amount of distress I found to exist among those who do not know how to farm or raise products of the soil, or who are too proud to do so. But that there is *financial* distress among all the common laborers, as well as with the small farmer, the planter and merchant, there is no doubt. This condition will continue until the revenues from their principal products, sugar and tobacco, are increased.

In conclusion, I would say that the United States should be liberal in the fulfilment of the duty devolving upon it—to see to it that the Cuban Government is given the opportunity to prove its ability to maintain a republic and to govern itself. This duty, in my opinion, can be fulfilled only by giving to Cuba reciprocal arrangements and a reduction in the duty and tariff as hereinbefore stated, and in this way we shall prove to the world that the spirit which prompted us in liberating the people of the Island of Cuba and in establishing a government for them still actuates us in assisting them to obtain sufficient revenues to support such a government and to keep the people from bankruptcy and ruin.

Respectfully submitted,

H. D. DUMONT.

Dated February, 1903.









4-  
U.S. S. C. 1003  
JOINT RESOLUTION INVITING THE REPUBLIC  
OF CUBA TO BECOME A STATE OF  
THE AMERICAN UNION.

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REMARKS

OF

SEN. FRANCIS G. NEWLANDS,  
OF NEVADA,

IN THE

SENATE OF THE UNITED STATES,

November 23 and 25, 1903.

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WASHINGTON.  
1903.



REMARKS  
OF  
HON. FRANCIS G. NEWLANDS.

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REPUBLIC OF CUBA.

Mr. HALE. Mr. President, I move to reconsider the vote of the Senate by which the joint resolution (S. R. 15) inviting Cuba to become a State of the American Union was referred to the Committee on Relations with Cuba.

The PRESIDENT pro tempore. The Senator from Maine moves that the vote by which the joint resolution to which he calls the attention of the Senate was referred to the Committee on Relations with Cuba be reconsidered.

Mr. HALE. I ask that the joint resolution may be read.

The Secretary read the joint resolution introduced by Mr. NEWLANDS on the 20th instant, as follows:

A joint resolution (S. R. 15) inviting Cuba to become a State of the American Union.

Whereas the Republic of Cuba is desirous of securing commercial union with the United States; and

Whereas the best commercial union can be secured by and through political union by means of the admission of the Republic of Cuba as a sovereign State in the Union: Now, therefore, be it

*Resolved, etc.,* That the Republic of Cuba be, and is hereby, invited to become a State of the United States, upon terms of equality with all other States of the Union, and, leading in that direction, the following suggestions are made:

First. That the island of Porto Rico become a county or province of Cuba and a part of the State of Cuba.

Second. That the President and Vice-President of the Republic of Cuba be the governor and lieutenant-governor, respectively, of the State of Cuba until their terms of office expire, and that all other executive, legislative, and judicial officers now holding office in the Republic of Cuba continue to hold similar positions in the State of Cuba until their present terms expire, with the exception of the customs and postal officials, who shall be incorporated into the customs and postal service of the United States, and the Rural Guard, the officers and subordinates of which shall be incorporated into the Army of the United States.

Third. That the bonds about to be issued by the Republic of Cuba for the payment of its army during the war with Spain, aggregating \$35,000,000, with interest at 5 per cent, be issued as the bonds of the State of Cuba, and that the interest agreed to be paid thereon be reduced from 5 to 3 per cent, the difference to be applied to the sinking fund, and that as so changed their payment be guaranteed by the United States.

Fourth. That the balance in the treasury of the Republic of Cuba be turned over to the State of Cuba, and the balance in the treasury of Porto Rico be turned over to the county or provincial authorities of that island.

That the foregoing resolutions are inspired not by a desire to annex forcibly or to assert sovereignty over the island of Cuba, or to exercise any form of compulsion, but solely by a regard for the mutual interests of the two countries and a conviction that the interests of the States composing the Federal Union and Cuba are identical, and that they can be best secured by a union under one form of government in which all shall be represented on equal terms and be governed by equal and indiscriminating laws, insuring freedom of trade and equality of right and privilege.

Mr. HALE. Mr. President, I shall take only a little time of the Senate, but I desire to submit a few observations upon this resolution.

Mr. HALE then spoke in opposition to the resolution.

Mr. NEWLANDS. Mr. President, I am very glad to hear the distinguished Senator from Maine [Mr. HALE] on this subject. The purpose of the introduction of this joint resolution was to invite debate, consideration, and deliberation, and I feel gratified that the resolution has met with so early a response in this direction.

I agree with the Senator from Maine in much that he has said. I commend with him the good sense and the good judgment of the people constituting the Government of Cuba, but I contend that the good sense and the good judgment of this country will be demonstrated by presenting this invitation and that the good sense and good judgment of Cuba will be proved by accepting it.

Now, what is the joint resolution to which the Senator takes exception? This resolution presents no suggestion whatever of force or compulsion. It recognizes that the Republic of Cuba is a sovereign nation among the nations of the world. It recognizes the fact that that Republic itself feels that it can not stand alone; that it has accepted already the protection of this country; that it has surrendered to the more powerful sovereign to the west control over a portion of its territory as naval stations and military posts; that it has limited its power to contract, so far as debts are concerned, where such power is likely to be exercised in such a way as to risk the independence of the Republic. It recognizes our control over the sanitary conditions of that island as a matter of protection to our own country. Cuba stands, as is often said in debate in both Houses, in the position of a ward to a guardian.

I will not say anything now as to the history of this peculiar position of protection on one side and of dependence on the other. I will assume, without argument, that it was wise—wise upon the part of the United States to offer it and wise upon the part of Cuba to accept it—and yet the United States does, by the voluntary act of both the United States and Cuba, stand in the position of guardian to Cuba.

What, then, does Cuba ask of us? She asks of us another exceptional relation. She admits that from the economic point of view she is unable to stand alone; that the economic conditions of the world are against her; that though she is to-day the cheapest producer of sugar in the world, the markets of the world are barred against her by protective tariffs in some countries and by the bounty system in others. When she sought to restore the industries that had been destroyed by the war, she found that the production of 1,000,000 tons of sugar, which she had been accustomed to supply to the world, had been taken up by Germany, by France, and by Austria under the bounty system, and by Hawaii, Louisiana, and western beet sugar under the protective system, and that they had possession of her markets and that the sugar which she sought to produce and sell was a drug upon the market, sagging that market down and lowering the international price of sugar; and she looked to America, surrounded by a tariff wall, producing with the aid of Hawaii, Louisiana, and the fertile farms of the West only about one-third of her consumption, calling upon the world at large for 1,600,000 tons of sugar annually, and imposing upon that product a customs duty of \$35 a ton, nearly the international price that sugar was then bringing in the markets of the world.

She looked out eagerly for this market to which she had been accustomed before her prostration came. If she could import her sugar duty free it meant that she would receive annually for

1,000,000 tons of sugar \$75,000,000 instead of \$40,000,000. It meant that this advantage would increase as her production increased and that wealth and prosperity would come to her beyond the power of man to describe. She first asked free trade, then moderated her request to a reduction of 50 per cent in the duty, and then finally acquiesced in a reduction of 20 per cent. What would free trade have meant to her? One million tons of sugar, bringing only \$40 a ton in the markets of the world, would yield her \$75,000,000 in our market, where the domestic price of sugar is of course the international price plus the duty. What does the reduction she finally acquiesced in mean? A reduction of 20 per cent—\$7 a ton, \$7,000,000 annually.

Why does she ask this preferential arrangement? She asks it because she is the ward of the Republic; she asks it because she is dependent upon the great Republic; she asks it because of the sympathy, the aid, and the succor that the great Republic gave her in her war for freedom. She is not to be blamed or criticised for asking it. It is entirely natural that she should appeal to her best friend for sympathetic action.

And yet it is doubtful whether relief ought to be granted in this particular way, involving as it does terms of preference, the admission of the products of a foreign country within our tariff wall upon terms more favored than those accorded to other countries. Cuba asks us to tear down our fiscal system, which, whether the protective wall be high or low, should be controlled by two considerations—one, free trade inside the Republic, the other impartial trade outside of the Republic; the one securing amity and friendship on our own soil, no preferences, no discriminations between individuals and industries; the other securing amity and friendship with the nations of the world.

When Cuba asks this favor have we not the right to negotiate with her? Is it not entirely proper and just for us to say, "We object to discriminations, we object to preferences, we object to tying up our tariff by contractual arrangements with individual nations of the world, thus losing control of it ourselves. But we realize your position, we realize your economic distress, we know that you are dependent for your prosperity upon the markets of this country. We are your friends. You ask for commercial union. We tender you political union. You ask for a less limited trade. We offer you unrestricted trade." Is that taking advantage of Cuba? Is it not the generous act of a great country which says to this dependent country, "We relieve you of your condition of dependence and hardship; we welcome you to become one of us—a sovereign State in the great Union of States, bound together for the general welfare and common defense?"

Let us see whether this proposition does any injustice to Cuba, for I am certain that I offered this joint resolution with no spirit of spoliation. The Senator from Maine has said that every adventurer and every speculator and every Spanish don is behind the effort. If that be so, I know nothing of it. I have conferred with no speculators or adventurers or Spanish dons. This resolution presents my individual view with regard to a matter affecting the principles of our Government and the wise policy which it should pursue in its relations with Cuba, and is inspired by the greatest friendliness to Cuba.

In the first place the joint resolution is entitled, "Joint resolution inviting Cuba to become a State of the American Union."

That does not smack of compulsion. An invitation is not force. Then come the recitals and the first part of the resolution, as follows:

Whereas the Republic of Cuba is desirous of securing commercial union with the United States; and

Whereas the best commercial union can be secured by and through political union by means of the admission of the Republic of Cuba as a sovereign State in the Union: Now, therefore, be it

*Resolved, etc.*, That the Republic of Cuba be, and is hereby, invited to become a State of the United States, upon terms of equality with all other States of the Union, and, leading in that direction, the following suggestions are made:

First. That the island of Porto Rico become a county or province of Cuba and a part of the State of Cuba.

Why this inclusion of Porto Rico? Simply for this reason: That as the result of or contemporaneously with the Spanish war we came into numerous new possessions—Hawaii, the Philippine Islands, Cuba, and Porto Rico, all of them now occupying varying relations of dependence to this country. We had asserted in the Declaration of Independence the equality of man, the inseparableness of taxation and representation, the doctrine of the consent of the governed, but at that juncture we were met by the question as to whether we could safely apply these doctrines to all these countries which bear to us to-day varying relations of dependence. We did apply them to Cuba by withdrawing our forces and surrendering the government to her own people. We did apply them to Hawaii by organizing a Territorial government, with a Delegate in Congress—the traditional mode of organizing an infant State—but we declined to apply them to Porto Rico and the Philippines. The Philippine Islands became colonial possessions and Porto Rico became not a Territory or an infant State, but became a dependency without representation in our Government and subject to its absolute will. Porto Rico, which lies to the east of Cuba and has like commercial conditions, population, and climate, is a small island, only 100 miles long by 30 miles wide—not big enough to become a State.

Obviously, therefore, the only way of asserting the old doctrine of the Declaration of Independence as to Porto Rico is to admit her into the Union as a part of the State of Cuba. Cuba has six provinces, corresponding to our counties. Porto Rico would be a seventh county of the State of Cuba, a member of the American Union, and as such would take part in the election of a President of the United States and in the selection of United States Senators and Congressmen. As to her, there would be no taxation without representation. So far as she is concerned this blot upon our escutcheon would be absolutely removed. It is to be hoped that hereafter we may take such action with reference to the Philippine Islands as to redeem the old doctrine of the Republic in all its integrity.

The second suggestion is:

Second. That the President and Vice-President of the Republic of Cuba be the governor and lieutenant-governor, respectively, of the State of Cuba until their present terms expire and that all other executive, legislative, and judicial officers now holding office in the Republic of Cuba continue to hold similar positions in the State of Cuba until their present terms expire, with the exception of the customs and postal officials, who shall be incorporated into the customs and postal service of the United States, and the Rural Guard, the officers and subordinates of which shall be incorporated into the Army of the United States.

Under this suggestion the President and Vice-President of the Republic would become the governor and lieutenant-governor

of the State of Cuba, the present Congress of Cuba would become the State legislature. Under it the cabinet would become the State officials; under it the judicial officers of the Republic of Cuba would become the judicial officers of the State of Cuba.

The joint resolution provides that those officials connected with the customs and post-offices shall be incorporated into the customs and postal service of the United States, and that the Rural Guard, their only army, small in dimensions, but officered and controlled, I believe, by able and patriotic men, will become a part of the Army of the United States.

Now, this is simply a suggestion to the Republic of Cuba. Why? Because in the consolidation of two Republics, just as in the consolidation of anything else, there are more or less points of friction, and the purpose is to make the transition as easy as possible. Under this resolution no man will be deprived of his office, his position in the service of that country, or of his position in the army. It simply provides a gradual change from the service of the Republic of Cuba to the service of the State of Cuba.

Now, what is the next suggestion?

Third. That the bonds about to be issued by the Republic of Cuba for the payment of its army during the war with Spain, aggregating \$35,000,000, with interest at 5 per cent, be issued as the bonds of the State of Cuba, and that the interest agreed to be paid thereon be reduced from 5 to 3 per cent, the difference to be applied to the sinking fund, and that as so changed their payment be guaranteed by the United States.

I may be asked of what benefit is that? For a long time Cuba has been endeavoring to negotiate these bonds in the markets of the world for the purpose of paying her patriotic army, a thing which ought to have been accomplished long before this. Certainly the pay of that army ought to be a tax upon the wealth of the entire island until satisfied. Cuba has thus far been unable to negotiate these bonds, though they are offered at a discount of 10 per cent—at 90 cents on the dollar. What saving will this effect to the State of Cuba as opposed to the Republic of Cuba? The guaranty of the United States will enable those bonds to be negotiated at par. At the very outset she will save three million and a half dollars upon the bonds. The reduction in the rate of interest from 5 per cent to 3 per cent will save her 2 per cent—\$700,000 annually; so that in fifty years she will save in the payment of interest alone, \$35,000,000, which amounts to the principal of the bonds. She will thus save nearly \$40,000,000 on this transaction alone by becoming a State in the Federal Union, and she will save \$35,000,000 annually or \$350,000,000 within the next ten years by the enhanced price she will receive for her sugar.

The next resolution provides that the funds in the treasury of the Republic of Cuba shall be turned over to the State of Cuba. There are about three or four million dollars in the treasury of Cuba. It would go a great way toward State development—toward the construction of roads and internal improvements. The same provision is made regarding Porto Rico. The funds in the treasury there are to be turned over to the county or provincial authorities of that island, and thus a considerable sum will be provided for internal improvements.

Then comes the last portion of the joint resolution, which declares—

That the foregoing resolutions are inspired not by a desire to annex forcibly or to assert sovereignty over the island of Cuba, or to exercise any form of compulsion, but solely by a regard for the mutual interests of the two countries and a conviction that the interests of the States composing the

Federal Union and Cuba are identical, and that they can be best secured by a union under one form of government in which all shall be represented on equal terms and be governed by equal and indiscriminating laws, insuring freedom of trade and equality of right and privilege.

We have, then, Cuba in this dependent position, seeking a still more intimate relation with the Republic of the United States, seeking commercial union, and we respond by offering her political union, which involves absolute freedom of commerce.

Now, gentlemen say that this invitation should not be extended by this country; that we would not extend it to a great country; that we extend it to the Republic of Cuba only because it is a little country; that we would not to-day extend an invitation to Canada to become a State of the Republic. Obviously not, because that would be an act of hostility against Great Britain herself. We are now dealing with an independent sovereignty which asks preferences in trade and a commercial union with us, and we, animated by friendliness, kindness, and generosity of spirit, respond: "Come into the American Union and enjoy with us the unparalleled blessings of liberty, equality, and prosperity."

Mr. CARMACK. Will the Senator from Nevada permit me for a moment?

The PRESIDING OFFICER (Mr. PERKINS in the chair). Does the Senator from Nevada yield to the Senator from Tennessee?

Mr. NEWLANDS. Certainly.

Mr. CARMACK. I suggest to the Senator from Nevada that shortly after the war there was considerable correspondence between this country and Great Britain with reference to the acquisition of Canada.

Mr. NEWLANDS. That may be. I am not informed as to that.

So with reference to the Republic of Mexico. The Republic of Mexico is not seeking more intimate relations with us. I am not aware that she is asking for commercial union with us. If she were, it would be entirely proper for us to respond by extending to her an invitation to come into the Union. But here is Cuba making the offer of commercial union and we offer the larger benefit of political union, which involves the blessings of a free government and at the same time greater commercial advantages than she could secure through any reciprocity arrangement.

Why, then, should we make this offer? Why should we extend this invitation? Why does not Cuba ask for it? Simply because, though it is a desirable thing, simply because, though the people of both countries may be in favor of it, we will find that Cuba will be reluctant to take the initiative, because she will be suspicious and fearful of our action. She has seen us, under temptation, absolutely abandon the doctrines of the fathers—those doctrines which have been the inspiration of every Fourth of July orator for the last hundred years. She has seen us repudiate the doctrine of the inseparability of taxation and representation. She has seen us repudiate the doctrine of the consent of the governed. She has seen us seize islands in a war inspired absolutely by benevolence, and has seen us yield to the temptation of greed and hold those islands against the will of their people. She will fear, if she makes the least advance toward the union of the two countries, that then we will endeavor to annex her, not as a State of the Union, but as a dependency, such as the Philippines are and such as Porto Rico is.

No public man could rise in the Congress of the Republic of Cuba to-day and make the suggestion of annexation to the United





States, for he would be met by this argument which I have presented—an argument which furnishes every kind of fuel that eloquence needs. The people would be suspicious, and, in view of our action regarding Porto Rico and the Philippines, they have a right to be suspicious. We must, by unequivocally taking our position, tell Cuba that we do not ask annexation, but that we invite her to sisterhood; that we do not seek to exercise sovereignty over her, but that she shall become one of the sovereign States of the Union, bound together for the common welfare and defense.

Now, I am aware that the joint resolution will be criticised; that it will be opposed by many both in Cuba and in this country; but I believe the argument for political union can not be refuted, and I believe it will eventually prevail. I can not believe that the United States is indifferent to this question. There has not been a time in the history of the Republic when the annexation of Cuba would not have been welcomed. Throughout the history of the Republic we would have sought Cuba just as eagerly as the valley of the Mississippi or Florida. It is separated apparently from Florida by a convulsion of nature, by only a few miles of water. The island is one of incomparable salubrity of climate and richness of soil. To-day it has a population of 1,500,000. It is capable of supporting 15,000,000 people. Its commercial advantages, its agricultural advantages are undoubted. It lies in front of the great Gulf, of our way to the Mississippi, of our way to the future canal at Panama.

Having that island as a part of the United States, destined at some time to be inhabited by 400,000,000 people, we can imagine its value to those 400,000,000 people merely as a sanitarium and health resort. It has such advantages of climate and scenery that one day it will rival the Riviera of the Mediterranean. With California on the Pacific Ocean and Cuba upon the Atlantic, with 400,000,000 people between, the advantages of that island from the standpoint of health alone, dismissing all considerations of commerce and business, must be obvious.

Mr. President, I fear I have already taken up too much time in response to the Senator from Maine [Mr. HALE]. I believe in the joint resolution. We are told by the Associated Press that while it was seriously considered by some people in Cuba it was regarded by others with amusement, and that it was regarded in the island of Porto Rico with derision. But amusement and derision often accompany the urging of great measures and should constitute no discouragement. The people of Cuba have not as yet seen this joint resolution. They have probably received only the condensed report of the Associated Press. The people of Porto Rico have not yet received it. But I base my position upon the strength of the argument, and I believe that that argument will find a lodgment in the minds of patriotic and sensible men, both in the United States and in the islands of Cuba and Porto Rico.

Mr. PLATT of Connecticut. Mr. President, I do not know whether the Senate desires to continue this discussion at the present time, but I do not wish to let this subject pass from its consideration without a few observations.

It is a little strange that this new theory or sentiment of expansion should come from those who in so recent years have been the loudest in the denunciation of that policy.

Mr. NEWLANDS. Will the Senator from Connecticut permit me for a moment?

The PRESIDING OFFICER. Does the Senator from Connecticut yield to the Senator from Nevada?

Mr. PLATT of Connecticut. Certainly.

Mr. NEWLANDS. I wish to call the attention of the Senator from Connecticut to the fact that the Democratic party has always been in favor of the expansion of the Republic as opposed to the expansion of the empire, and that this is a legitimate part of the policy of the Republic, which has always embraced the acquisition of contiguous continental territory and of adjacent islands essential to our coast defense.

Mr. LODGE. Mr. President, I regretted very much the introduction of this resolution, but I do not regret the discussion that has arisen this morning, for I think the resolution has made some such discussion absolutely and immediately necessary.

The question what this resolution means is to us of no consequence. The important thing is the impression that it has made or is likely to make upon the people of Cuba.

Mr. President, we have no desire to annex that island. We much prefer it in the state in which it now is. For one, Mr. President, looking at it solely from our own side and not from theirs, I am opposed to having island States. We all know that if Cuba becomes a part of the United States it must be made a State of the Union, and the wholesome rule against island States would be broken once for all.

Mr. President, there is an island prospering and doing well, with our aid and our approbation. We do not want to agitate and distress her people with resolutions conveying an idea that we are suspicious of her future or doubtful of her present.

And not content with that, Mr. President, this resolution goes on to propose that the island of Porto Rico, which is prosperous and happy under the government that we have given it, shall be annexed violently to the island of Cuba. Porto Rico is ready to be a dependency of the United States, but it is a very different proposition that we should, with a high hand, make it a dependency of another island. Mr. President, is it necessary to agitate those people in this way?

Mr. NEWLANDS. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Massachusetts yield to the Senator from Nevada?

Mr. LODGE. Certainly.

Mr. NEWLANDS. If the island of Porto Rico were a county of the State of Cuba, would the Senator call it a dependency?

Mr. LODGE. I thought the language was "a county or province." I have it not before me.

Mr. NEWLANDS. I used the term "county or province" because Cuba is divided into six provinces, and they would better understand that term than the word "county;" but the purpose was simply to make Porto Rico a county of a sovereign State, sharing with that State in the selection of United States Senators and Representatives in Congress and in the election of the President of the United States.

I wish to ask the Senator from Massachusetts in case the people of the island of Cuba voluntarily and without any sug-

gestion from us should indicate any desire to become a State of the Federal Union, whether he would be inclined to grant their request?

Mr. LODGE. That is an important question, to be considered when it arises. There is not the slightest indication that the people of Cuba want to become a State of the Union. There is not the slightest indication that they are not content where they are; that they are not gratifying their own pride and their own sense of citizenship by remaining where they are. Why should we discuss bringing them into the Union? Why should we arouse their suspicion and hurt their feelings? Why not leave them alone to work out their destiny as they are working it out, with all the kindly aid and assistance we can give them?

Mr. NEWLANDS. Will the Senator permit another question?

Mr. LODGE. Certainly; as many questions as the Senator wants to ask.

Mr. NEWLANDS. I presume the Senator realizes that the markets of the world have been gradually closed against sugar in Cuba and that she markets her entire crop in this country. Now, assuming that England should adopt the retaliatory policy called for by Mr. Chamberlain, and should put a protective duty upon sugar with a view to protecting her own colonies producing sugar, I ask whether the island of Cuba would not be absolutely dependent for the marketing of her own crop upon the United States, and would the Senator regard it as an act of hostility to Cuba to suggest to her an arrangement by which, instead of securing \$40,000,000 annually for her crop, she would secure \$75,000,000?

Mr. LODGE. I am not going to discuss the sugar question. That comes up very properly, no doubt, in connection with the bill to carry the treaty into effect. I did not rise to discuss the sugar question or any part of it. My object was simply to enter my own disclaimer against any idea that we were seeking to annex Cuba or to change the present relations of the countries.

*November 25, 1903,*

Mr. NEWLANDS. Mr. President, in the debate the other day relating to the joint resolution (S. R. 15) inviting Cuba to become a State of the American Union, which I had the honor to present, it was stated by the Senator from Connecticut [Mr. PLATT] and also, I believe, by the Senator from Massachusetts [Mr. LODGE] that the joint resolution proposed that the island of Porto Rico should become a part of the State of Cuba without consulting the island of Porto Rico; in other words, without her consent.

I wish to state that the suggestions which the joint resolution presents look to having an expression of the sentiment both of Cuba and Porto Rico upon this subject. If Cuba is disposed at all to consider the matter, the whole question can, by a popular vote, be presented to the Cuban people as to whether or not it is desirable to become a State in the American Union, and as to what changes are necessary in the constitution of the Republic in order to fit that Republic for statehood in the American Union.

In the same way the sense of Porto Rico can be taken as to whether or not that island desires to become a part of the State of Cuba, or a county of the State of Cuba, and, as such, a part of the American Union, enjoying constitutional rights and privileges, freedom of trade, and the power and privilege of joining in

the selection of the President of the United States and of Senators and Representatives of the United States. The sense of that people can be taken by a popular vote as to whether or not they wish to remain a mere dependency of the United States, annexed to but not a part of the United States, subject to the absolute power and will of the United States, or whether by means of incorporation with Cuba they desire to become a part of a sovereign State of the Union.

In this way the doctrine of the consent of the governed will be vindicated by an expression of the will of the majority both in Cuba and in Porto Rico. Porto Rico is too small in territory to become a State. If Porto Rico wishes to remain a dependency, she can express her will. If she wishes to become a part of a sovereign State of the American Union, she can express her will by a popular vote. So I contend that this provision does not involve the incorporation of Porto Rico as a part of the State of Cuba without the consent of that island.

Another statement was made by the Senators who spoke upon that day—the Senator from Massachusetts [Mr. LODGE], the Senator from Connecticut [Mr. PLATT], and the Senator from Maine [Mr. HALE]—and that was that Cuba was not a dependent Republic. I assume that politically no one can deny that she certainly has abdicated a part of her sovereignty by the adoption of the Platt amendment and that she has become in a sense dependent upon this country.

But when I referred in my remarks to her dependence I referred principally, not to a political dependence, but to an economic dependence. That seems to have been denied by the Senators; and yet if you will look over the speeches of the Republican members of the Ways and Means Committee of the House advocating reciprocity, if you will look over their reports, if you will look over the testimony of delegations representing Cuba, which appeared before the Ways and Means Committee of the House two years ago, you will find everywhere the fact prominently stated and urged that Cuba is a ward of the great Republic, and that from an economic point of view she is absolutely dependent upon the markets of this country, and that she can not prosper, or at least not in any very high degree, unless she receives either freedom of trade or less restrictions than are imposed upon other countries. So I insist upon it that I was warranted in saying that the Republic of Cuba is dependent, both in a political and an economic sense, upon this country.

Now, I was charged, and charged by the Senator from Maine [Mr. HALE], I believe, with disturbing conditions, with making statements that would affect the credit of Cuba, and that, too, at a most critical time. Mr. President, I claim to be the friend of Cuba. I would not do a thing or say a word which would throw any obstacle whatever in the path of her progress. I contend that in presenting the dependent condition of Cuba, both in a political and an economic sense, I was simply stating the facts of history—facts testified to in the records of both bodies of Congress, facts testified to by the Cuban delegation, and facts proclaimed by the Republican Members of the House in their speeches.

I claim that the very purpose of the joint resolution which I have introduced is to improve the credit of Cuba. As a matter of fact, Cuba is to-day attempting to negotiate bonds to the ex-

tent of \$35,000,000, with interest at the rate of 5 per cent, and the bonds are offered at a discount of 10 per cent. It is a matter well known throughout the financial world that thus far there have been no takers for the bonds.

The suggestion of the joint resolution is that those bonds shall be guaranteed by the United States, which would enable them to be negotiated at par. Such a guaranty would warrant a reduction of the rate of interest from 5 per cent to 3 per cent. This would effect an immediate saving of three million and a half of dollars in the negotiation of the bonds and an ultimate saving in interest which would very nearly pay the principal of the bonds themselves. So I contend that the passage of the joint resolution would strengthen the credit of Cuba and not injure it.

In support of what I have said, I should like to append to my remarks certain quotations from the proceedings before the Ways and Means Committee of the House, the testimony of Colonel Bliss, Mr. Mendoza, and others representing Cuba, and also certain quotations from debates upon this subject. I will not read them now, but I ask permission of the Senate to insert them in my remarks.

The PRESIDING OFFICER. If there is no objection, such will be the order of the Senate. The Chair hears none.

Mr. NEWLANDS. Mr. President, briefly stated, the purpose of the joint resolution is not force or compulsion. The appeal is only to reason. We invite Cuba to become a State of the Union upon an equality with all the other States of the Union, and we suggest, simply as steps leading in that direction, that the President, the judicial officers, and the legislative body of that Republic shall become the executive officers, the judicial officers, and the legislative officers of the State of Cuba without change of term or salary.

As to the customs and postal officials, the joint resolution suggests that they shall become incorporated into the customs and postal service of the United States. As to the small army of that Republic, the rural guards, composed mainly of and officered by soldiers who fought in the war for Cuban freedom, the suggestion is that it shall be incorporated into the Army of the United States. As to the debt, the suggestion is that the bonds shall be guaranteed by the United States, and thus Cuba will ultimately save in expenditures a sum aggregating nearly \$40,000,000.

Such are the suggestions contained in this resolution of little changes in government that are necessary to adapt the Republic of Cuba to statehood in the American Union. Such is the immediate economic advantage which Cuba would secure by union, in addition to the great economic advantage of having her entire sugar crop, amounting to 1,000,000 tons annually, admitted to this country without the imposition of the present duty of \$35 a ton, thus enabling the Cubans to secure in the American market, for the present production of 1,000,000 tons, \$75,000,000 instead of \$40,000,000. That would be a saving to Cuba of \$35,000,000 annually, \$350,000,000 in ten years, over a billion dollars in the forty years constituting the term of the bonds which she is about to issue.

Now, I submit this statement simply in explanation. The joint resolution came up unexpectedly the other day for discussion, and I was unable to answer all of the Senators who spoke upon it. My purpose now is not to make a speech, but simply to complete

the record, so that there can be no misapprehension whatever as to the purpose and intent of the joint resolution.

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Mr. NEWLANDS. Mr. President, just a few words in reply to the Senator from Maine.

I claim that the suggestion of the possibility of Cuba becoming a State of the American Union will benefit her credit instead of injure it. But even under present conditions the people proposing to take those bonds would doubtless feel that the security of the bonds is strengthened by even the possibility of Cuba's becoming a State of the Union, and this suggestion should not in any way weaken the existing negotiations.

Now, as to the Senator's statement that no one is in favor of taking those islands, I agree with him that no one is in favor of taking the island of Cuba; at all events, I hope no one is in favor of it, for that suggests force and compulsion. But so far as the union of the island of Cuba with the American Union is concerned, I beg to differ with him. There has been no mode of getting an expression of the public sentiment either in Cuba or in this country upon that subject, but I submit that the traditional policy of this country, dating back a hundred years, has always included the acquisition of Cuba and the incorporation of Cuba into this Union if it could be done peaceably, with the consent of her people, and upon terms of equality to both. I believe that the sentiment has been and is to-day favorable in Cuba itself, though that sentiment has found no expression, for they have been discouraged, perhaps, in their aspirations by the new policy of the American Republic, which has looked to the acquisition of territory as a dependent territory subject to the absolute will of the sovereign owner; and they doubtless fear that if they make overtures for union with this country those overtures might be met by measures smacking somewhat of compulsion or violence and leading to the annexation of the island as a military dependency or as a colonial possession of the United States.

Now, to support my statement that there is a sentiment in Cuba favorable to the union, let me read from the testimony of General Bliss (then Colonel Bliss), a distinguished American officer who had been serving in Cuba for three years as administrator or collector of customs during the American occupation, who was fully familiar with its people and with its economic conditions, and who testified with great clearness and precision before the Committee on Ways and Means two years ago. The quotation is a short one. His statement was in reply to a question presented by myself:

Mr. NEWLANDS. As I understand it, Colonel, the Cuban people wish to come into commercial union with the United States without being subjected to the burdens that political union would involve, such as exclusion of the pauper labor of Europe and restriction of Asiatic immigration. The contention, you understand, on the American side, in behalf of the beet-sugar industry and others, is that it would be unfair to have a commercial union when the Americans are handicapped by restrictive legislation as to immigration and cheap labor, and the Cubans are not.

A GENTLEMAN. And the payment of internal taxes.

Mr. NEWLANDS. Now, I ask you whether or not the Cuban people are prepared to come into political union with the United States so that they will stand upon an equality in the production of sugar?

Colonel BLISS. I think, judging from my own personal acquaintance and from information derived from it, that the great majority of Cubans are ready.

Mr. NEWLANDS. They are ready to come into political union?

Colonel BLISS. Yes, sir.

Mr. NEWLANDS. Do you mean by that that they are willing to come in as a part of the United States under a Territorial form of government under the Constitution, their people being citizens, and wait until the United States is ready to admit Cuba to statehood, or do you mean that they would require immediate statehood?

Colonel BLISS. From all those people who are interested in any way personally in the island of Cuba I have never heard but one statement—that they would be glad to come in as a Territory, as a colony, or remain under the present military administration, or in any way so as to become recognized as a part of the United States.

Mr. NEWLANDS. Now, then, if the United States Government, in the place of tariff concessions, should, by joint resolution adopted by Congress, invite Cuba to come into our political union, first as a Territory, with the assurance that in due time she would be admitted to statehood, do you think that invitation would be accepted by Cuba?

Colonel BLISS. I think it would; yes, sir.

Mr. NEWLANDS. Colonel, do you think the Cuban climate is adapted to Americans?

Colonel BLISS. Yes, sir; perfectly.

Mr. NEWLANDS. That they can live there generation after generation without degeneration?

Colonel BLISS. I can not answer you further than my own generation, and, in fact, not for all of that one. I have lived there three years, and have worked hard in all the variations of climate that they have there. I feel as well now as I did when I went there, and I see no reason to think that if I were there twenty-five years longer it would make any difference.

Mr. NEWLANDS. You were speaking a few moments ago regarding the sentiment there as to political union with the United States. Do you derive that sentiment from communications with Spaniards, or from communication with Cubans?

Colonel BLISS. With Spaniards, with Cubans, with laboring men, and with everybody except a certain class of Cuban politicians.

Mr. NEWLANDS. That is a small class, is it?

Colonel BLISS. Comparatively a small class; yes, sir.

Mr. NEWLANDS. Take the leaders in the late war with Spain—the Cuban leaders—what is their sentiment regarding it?

Colonel BLISS. I think that, as a matter of pride, at least, all of those men would prefer to see an independent Cuba. I think—in fact, I know—that there are some of these who have no hesitation in saying that after the pride of their people has been satisfied they will gladly welcome the next step in the solution of this problem.

Mr. NEWLANDS. As a permanent arrangement, do you think they would prefer simply a commercial union with this country, with tariff concessions on both sides, or political union, which, of course, would involve complete commercial union?

Colonel BLISS. That I do not know, sir; but I am satisfied that in bringing about this commercial union of which you speak, any condition that you choose to impose will be gladly accepted; any modification in any law, or the creation of any new law, will be gladly made by Cuba to secure that which is all she asks now, I believe, viz, closer commercial relations with the United States.

Mr. NEWLANDS. Do you think their disposition as to a political union with this country arises from these commercial considerations; or do other considerations enter into it?

Colonel BLISS. I think it all grows out of the commercial considerations.

Mr. NEWLANDS. It is represented here that there is intense hostility upon the part of Cubans to America.

Colonel BLISS. There is on the part of a certain outspoken element; yes, sir.

Mr. NEWLANDS. Is that a large proportion?

Colonel BLISS. I think it is a very small proportion, largely represented by the political men of whom I speak, whose immediate hope for the gratification of their pride and their ambition is in the establishment of an independent government.

Mr. NEWLANDS. You have spoken of the American influx that would follow settled conditions there. Do you think Americans there would take hold of the soil and till it? Do you think they would take up small holdings there?

Colonel BLISS. Oh, yes, sir.

Mr. NEWLANDS. Is that climate adapted for Americans in that kind of work?

Colonel BLISS. Perfectly; perfectly. It is warmer in winter and cooler in summer than almost any part of the United States with which I am familiar. I do not know of a more delightful climate, winter and summer, than the island of Cuba, so far as concerns any part of the island that I have visited.

Of course, the effect that would be produced on a second generation or a third generation is something that I do not know and can not foresee; but I am acquainted with many Americans, Englishmen, Germans, Frenchmen, and Spaniards who have lived in Cuba from a quarter to a half a century and who have suffered no deterioration that I can see, either physical or otherwise. I know a good many Americans, small planters, people who have come down and bought 30, 40, or 50 acres of land and are raising vegetables and oranges, who have found that the business is not successful because they can not export anything to the United States. They find that the price they get for a barrel of oranges on the wharves of Habana is counterbalanced by the duty they have to pay in New York.

Mr. NEWLANDS. Do these Americans labor themselves or do they employ peon labor?

Colonel BLISS. Oh, those whom I have in mind are people that go out and work in the fields themselves.

Cuba was also represented by a delegation there, called, I believe, the Cuban Economic Delegation, representing its business and commercial interests, a number of men of great intelligence, who presented their views to the committee on our trade relations with Cuba. One of them, Mr. Mendoza, a leader among them, designated in the report as Cuban commissioner on economic affairs, was asked by me the following question; and remember that the question asked of Colonel Bliss was in the presence of this delegation:

Mr. NEWLANDS. Now, Mr. Mendoza, you heard Colonel Bliss's statement regarding the sentiment there as to political union with this country, or annexation?

Mr. MENDOZA. Yes, sir; I quite agree with him.

Mr. NEWLANDS. Do you agree with him?

Mr. MENDOZA. Yes, sir.

Mr. NEWLANDS. Does he express fairly the sentiment of Cuba?

Mr. MENDOZA. Yes, sir.

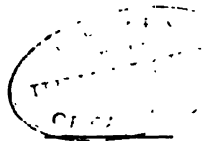
Here you have the statements of Colonel Bliss, who was familiar with all the affairs of Cuba, and of Mr. Mendoza, representing this Cuban delegation, and I say here that every member of that delegation nodded his approval when Mr. Mendoza gave his approbation to Colonel Bliss's statement.



# CENSUS OF CUBA,

TAKEN UNDER

THE DIRECTION OF THE WAR DEPARTMENT, U. S. A.



## BULLETIN NO. 1.

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TOTAL POPULATION BY PROVINCES, MUNICIPAL DISTRICTS,  
CITIES, AND WARDS.

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WASHINGTON:

GOVERNMENT PRINTING OFFICE.

1900.



WAR DEPARTMENT, CUBAN CENSUS,  
OFFICE OF THE DIRECTOR,  
*Washington, April 16, 1900.*

SIR: I have the honor to submit herewith the manuscript of the first bulletin of the Census of Cuba, with the request that 10,000 copies be printed for distribution, 1,000 copies to be in Spanish.

Very respectfully,

J. P. SANGER, *Ins. Genl.*  
*Director Census of Cuba.*

The SECRETARY OF WAR,  
*Washington, D. C.*



# CENSUS OF CUBA.

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## MUNICIPAL AND PROVINCIAL GOVERNMENT.

In presenting the statistics of the census of Cuba, the *municipal district*, as the principal administrative and political minor civil division, has been selected as the census unit. That the significance of the data may be better understood, it has been thought advisable to present a brief outline of the framework of municipal and provincial government as it existed when the census was taken. Under the laws of Spain a municipality is the legal association of all persons who reside in a municipal district, and is represented by a municipal council as a financial administrative corporation. A municipal district is the territory under the administration of a municipal council. Municipal districts are established, increased, diminished, annexed to other municipal districts, wholly or in part, or abolished, by the military governor of the island, as the lawful successor of the governor-general. They correspond, in a measure, to American counties or townships, and as prerequisites to their establishment must contain not less than 2,000 inhabitants, a territory proportioned in extent to the population, and be able to meet the obligatory municipal expenses.

Municipal districts differ in area, and each forms part of a judicial district and of a province, but can not belong to different jurisdictions of the same order. There are 6 provinces, 31 judicial districts, and 132 municipal districts in the island.

To facilitate the administrative service, each municipal district is divided into subdistricts and the latter into wards (*barrios*), depending on the number of residents in the subdistricts. For political purposes the subdistricts are further divided into electoral districts and the latter into electoral sections.

As far as practicable, ward limits are arranged so that the wards shall have approximately the same population, but every part of the municipal district must form, or be included in, a ward, no matter what its population may be.

Thus the province of Matanzas has 24 municipal districts and 128 wards, so that the entire province is embraced within district and ward lines. The seat of municipal government is the principal town

or city in the district where the enumeration of the subdistricts and wards begins.

Each municipal district has a municipal council and a municipal board. The council governs the district, subject to the supervision of the governor of the province and military governor of the island, and is composed of a mayor, a certain number of deputy mayors, and aldermen taken from the members of the council.

The census of the population determines the number of councilors to which each municipal district is entitled as follows: Up to 500 inhabitants, five; 500 to 800, six; 800 to 1,000 seven; between 1,000 and 10,000, one additional councilor for every additional 1,000 people; and between 10,000 and 20,000, one for every additional 2,000 people. For more than 20,000 one for every additional 2,000 inhabitants until the municipal council has the maximum number of 30 councilors.

The number of deputy mayors is determined on the same principle. Municipal districts of less than 800 inhabitants have no deputy mayors; between 800 and 1,000, one; 1,000 to 6,000, two; 6,000 to 10,000, three; 10,000 to 18,000, four; 18,000 or more, five. Up to 800 inhabitants there is but one subdistrict, and between 800 and 1,000 two, but thereafter the number of subdistricts corresponds to the number of deputy mayors. Each deputy mayor is in charge of a subdistrict as the representative of the mayor, discharging such administrative duties as he may direct, but having no independent functions.

Up to 3,000 inhabitants there is but one electoral district; between 3,000 and 6,000, three; 6,000 to 10,000, four; 10,000 to 18,000, five; 18,000 or more, six.

The councilors are elected from the municipality at large by the qualified voters of the district, one-half being renewed every two years, the councilors longest in service going out at each renewal. They are eligible for reelection. The regular elections are held in the first two weeks in May, but partial elections are held when, at least six months before the regular election, vacancies occur which amount to a third of the total number of councilors. If they occur after this period they are filled by the governor of the province from among former members of the council.

All male citizens over 25 years of age who enjoy their full civil rights, and have lived at least two years in the municipality, are entitled to vote, provided they are not disqualified by sentence for certain criminal offenses, bankruptcy or insolvency, or are not delinquent tax payers or paupers.

The mayors and deputy mayors are appointed by the military governor from among the councilors on the recommendation of the council. But while under the law the deputy mayors must be selected from the council, the military governor may appoint any person as mayor whether he belongs to the municipality or not.

In each ward there is also a mayor. He is appointed by the mayor of the municipal district, who can also suspend or remove him. He is required to keep a register of the horses, mules, and cattle in his ward, and to discharge such administrative duties as the deputy mayor of the subdistrict in which his ward is located may direct.

Each council has a secretary, who is appointed by the military governor of the island on the recommendation of the council. The council also appoints from among its members one or more fiscal attorneys (*procuradores syndicos*), whose duty it is to represent the council in all legal suits which may be instituted, and to revise and audit all local accounts and budgets. After the council is fully organized, the councilors who are not appointed to other offices in the council, are called aldermen. The mayor and secretary are the only salaried municipal officers, the office of deputy mayor, fiscal attorney, alderman, associate member of the municipal board, and mayor of a ward, being described in the law as "gratuitous, obligatory, and honorary." The mayor, deputy mayors, and fiscal attorneys, have the same right to speak and vote as the members of the council, and, in fact, the first two are obliged to vote on every resolution.

The duties and responsibilities of the municipal council are those which usually devolve on such bodies in European countries. The mayor is president of the council and represents it on all occasions. He presides at the meetings when the governor of the province is not present. He votes by right of membership, and in case of a tie casts the deciding vote, but has neither the veto nor the appointing power. As a result, there is no division of responsibility between the mayor and the council in administrative matters, the council, as a whole, making every appointment and deciding every question of municipal administration as far as the laws, and the provincial and insular governors will permit, distributing the work of departmental management to permanent committees of their own number, which they organize and constitute as may seem best. These committees have associated with them such experts and specialists as may be necessary, and take the place of the several independent departments and boards which are features of municipal government in the United States.

The sessions of the municipal council are determined by that body, but can not be less than one each week. Every member is required to attend punctually or pay a fine. Neither the mayor, the deputies, aldermen, nor ward mayors can absent themselves from the municipal district unless they receive permission as follows: The mayor from the governor of the province, and if the latter does not appoint a temporary mayor the senior deputy acts; deputy mayors and aldermen require the permission of the council; ward mayors of the mayor. The governor of the province can suspend the mayor or the deputies, and aldermen, as well as the resolutions and decisions of the council,

while the military governor can remove all municipal officers and appoint others to their places, and modify or annul the proceedings of the council.

The municipal board is composed of the municipal council and an equal number of associate members elected from among the taxpayers of the district, who hold office during the fiscal year. It is the duty of the board to revise the annual budget of municipal expenses prepared by the council, and to establish the taxes according to law.

*A province* is composed of the municipal districts within its limits. Under Spanish law the government of a province was vested in a governor (who was usually a brigadier or major general in the Spanish army), a provincial deputation, and a provincial committee. The governor was appointed and removed by the governor-general, and received a salary of from \$4,000 to \$6,000 a year in Spanish gold, according as the province was first, second, or third class. The provincial deputation was composed of deputies elected by the qualified voters of the municipalities for four years. The number of deputies depended on the number of electoral districts in the province as determined by the provincial delegation and approved by the governor-general. In the same way the judicial districts of the province were allowed to elect 12 deputies, more or less, depending on whether the number of deputies elected by the municipalities exceeded or was less than 20. The deputies served without pay.

The provincial committee and its vice-president were appointed by the governor-general from among the members of the deputation and consisted of 5 deputies who received a salary of from \$1,200 to \$2,000 a year in Spanish gold, according to the classification of the province. The deputation met in regular session in November and April and held such extra sessions as were necessary. The permanent committee represented the deputation when not in session, and acted as an advisory body to the governor in respect to matters which the laws did not impose on the deputation.

The governor of the province, as the representative of the governor-general, presided over the deputation and permanent committee and acted as the chief executive of the province in all matters. It was his duty to inspect the councils and the municipalities, informing the governor-general of all cases of negligence or disaffection. He had supreme authority, subject of course to the governor-general. He was responsible for public order, and the military authorities of the province were under his control.

The provincial deputation had charge generally of the public roads, harbors, navigation, and irrigation, and all kinds of public works of a provincial character; the charitable institutions and those of instruction, fairs, expositions, etc., and the administration of the provincial funds. The secretary, auditor, and treasurer of the deputation were



appointed by the governor of the province on the recommendation of the deputation.

The provincial deputation was abolished by the military governor of Cuba in March, 1899, and the government of the provinces is now vested in the governors.

By a royal decree of November 25 1897, a greater degree of autonomy was conferred on the provinces and municipalities of Cuba, but as this law did not become operative on account of the war, its effect on the organization and administration of the local governments has not been considered.

General Wood, the military governor of Cuba, under date of March 24, has intrusted to the municipal authorities, without any intervention on the part of the civil governors, the maintenance of public order, the execution of municipal ordinances, the administration of the municipal police, the regulation of public amusements, and the granting of permits for public parades, assemblies, and meetings, within their respective districts.

#### THE MUNICIPAL AND PROVINCIAL JUDICIARY.

The judiciary is essentially insular, the judges being appointed by the military governor or his agents. In each municipal district there are one or more municipal courts which consist of a judge, a secretary, and a clerk, who also acts as a constable or bailiff. The judges are appointed by the audiencias and have jurisdiction in civil suits when the amount involved does not exceed \$200, and over all misdemeanors such as violations of the municipal ordinances. They also keep registers of births, deaths, marriages, and property, and substitute the judges of first instance and instruction when for any reason they can not act.

Every municipal district forms part of a judicial district, presided over by a judge of first instance and instruction, who is appointed by the military governor of the island.

The court of first instance and instruction consists of the judge, 4 notaries, 4 clerks, 1 doctor, and 2 constables, and has civil jurisdiction in all suits where the amount involved exceeds \$200.

This court makes the preliminary examination in all criminal cases, but has no other criminal jurisdiction. It has appellate jurisdiction over cases from the municipal judge.

In each province there is an audiencia or supreme court, appointed by the military governor, which has original jurisdiction in all criminal cases from petit larceny to murder. It has appellate jurisdiction in all civil cases appealed from the court of first instance and instruction.

The personnel of this court consists of a president of the audiencia, a president of the sala, 3 or 4 judges, 1 fiscal or prosecuting attorney, 1 deputy fiscal, 1 assistant fiscal, 1 secretary of the audiencia, and 1 secretary of the sala.

## THE POPULATION.

This bulletin shows the total population, by provinces, municipal districts, cities, and, as fully as the returns will permit, by barrios or wards. In many cases the wards are not returned separately, but in groups of two or more, the inhabitants of which can not be easily separated, owing to the difficulty of ascertaining accurately ward limits.

The total population of Cuba on October 16, 1899, determined by the census taken as of that date, was 1,572,797. This was distributed as follows among the six provinces:

Habana.....	424, 804	Puerto Principe.....	88, 234
Matanzas .....	202, 444	Santa Clara.....	356, 536
Pinar del Rio.....	173, 064	Santiago.....	327, 715

The latest census taken under Spanish authority was in 1887. The total population as returned by that census was 1,631,687, and the population by provinces was as follows:

Habana.....	451, 928	Puerto Principe .....	67, 789
Matanzas .....	259, 578	Santa Clara .....	354, 122
Pinar del Rio .....	225, 891	Santiago .....	272, 379

Whether that census was correct may be a matter of discussion, but if incorrect, the number of inhabitants was certainly not overstated.

Comparing the total population at these two censuses, it is seen that the loss in the 12 years amounted to 58,890, or 3.6 per cent of the population in 1887. This loss is attributable to the recent civil war and the reconcentration policy accompanying it, but the figures express only a part of the loss from this cause. Judging from the earlier history of the island and the excess of births over deaths, as shown by the registration records, however imperfect they may be, the population probably increased from 1887 up to the beginning of the war and at the latter epoch reached a total of little less than 1,800,000. It is probable, therefore, that the direct and indirect losses by the war and the reconcentration policy, including a decrease of births and of immigration and an increase of deaths and of emigration reached a total of approximately 200,000.

The following table shows the absolute and the proportional gain or loss between 1887 and 1899 in each of the six provinces.

Province.	Increase (+) or decrease (-).	Per cent of increase (+) or decrease (-).
Habana.....	-27, 124	- 6.0
Matanzas .....	-57, 134	-21.9
Pinar del Rio.....	-52, 827	-28.4
Puerto Principe .....	+20, 445	+30.2
Santa Clara.....	+ 2, 414	+ .7
Santiago.....	+55, 836	+20.8

Habana province, in which most of the reconcentrados were collected, sustained a relatively small loss in population. Indeed (although it does not appear here), the population of Habana district, including the city of Habana, increased from 200,448 in 1887 to 242,055 in 1899, while nearly every other district of the province lost population. Pinar del Rio and Matanzas, lying on either side of Habana, lost nearly equal numbers and proportions of inhabitants. Santa Clara, lying beyond Matanzas to the eastward, remained almost at a standstill, while Puerto Principe and Santiago, still farther to the eastward and farther removed from the center of hostilities, gained greatly, the increase being probably due not only to natural increase, but to the migration of people away from the center of disturbance.

## DENSITY OF POPULATION.

The area of Cuba is approximately 44,000 square miles, and the average number of inhabitants per square mile 35.7, about the same as the State of Iowa. The areas of the six provinces, and the average density of population in each, are as follows:

Province.	Area.	Inhabitants per square mile.
	<i>Sq. miles.</i>	
Habana .....	2,772	158
Matanzas.....	8,700	55
Pinar del Rio.....	5,000	36
Puerto Principe .....	10,500	8
Santa Clara.....	9,560	37
Santiago.....	12,468	26

Habana, with the densest population, is as thickly populated as the State of Connecticut, and Puerto Principe, the most sparsely populated, is in this respect comparable with the State of Texas.

The great difference in density of population in the different provinces is in part due to the presence of large cities, especially in the case of Habana. Still, after excluding the cities of 8,000 inhabitants or more, notable differences are seen to exist, as shown below:

*Rural inhabitants to a square mile.*

Habana.....	55.3	Puerto Principe .....	6.0
Matanzas.....	39.0	Santa Clara .....	28.5
Pinar del Rio.....	32.8	Santiago .....	21.7

Puerto Principe, with but 6 rural inhabitants to a square mile, is a pastoral province.

## URBAN POPULATION.

In connection with the population of cities, it must be understood that the cities of Cuba have no corporate limits separating sharply

the urban element from the surrounding rural population. The cities, like the rural districts, are divided into wards, and many of these wards extend from the borders of the cities out into country districts, much as do New England towns and include both urban and rural population. On this account it is impossible to state the population of cities with exactness, although it is believed that the best separation possible has been made.

The population of cities by the census of 1899 can not be compared with that given by the census of 1887, because the figures of the latter embrace the entire municipal district, including the city, which in most cases adds to it a large population.

Table II shows the population of all cities of 1,000 inhabitants or more, which can be given separately. The number altogether is 96, of which 16 have population in excess of 8,000, 5 in excess of 25,000, and 1 (Habana) a population of 235,981.

The urban population of Cuba, including all cities down to 1,000 inhabitants, numbers 741,273, or 47.1 per cent of the entire population. Including in the urban population only the inhabitants of cities of 8,000 or more, as is done in the United States census, the number of urban element is 499,682, and the proportion to the total population is 32.3 per cent. The corresponding figures in the United States in 1890 were 29.2 per cent.

The number of urban inhabitants in each province, under each of the two definitions of urban population used, with the percentages of the total population, are given in the following table:

Province.	Urban population in cities of 1,000 or more.	Percentage.	Urban population in cities of 8,000 or more.	Percentage.
Habana.....	328,947	77.4	277,636	65.4
Matanzas.....	103,578	51.2	58,314	28.8
Pinar del Rio.....	22,337	12.9	8,880	5.1
Puerto Principe.....	35,543	40.1	25,102	28.4
Santa Clara.....	141,131	39.5	80,345	22.5
Santiago.....	108,747	33.2	57,554	17.5

The following table, numbered I, gives the total population by provinces, municipal districts, and wards, each arranged in alphabetical order. The smallest subdivisions given are wards, unless otherwise stated.

TABLE I.

## PROVINCE OF HABANA.

TOTAL POPULATION .....	424,804	Guanabacoa District—Continued.	
Aguacate District .....	3,163	Cruz Verde .....	2,485
Aguacate and Zabalesta .....	2,196	San Francisco, Este .....	2,043
Reloj and Campostizo .....	967	San Francisco, Oeste .....	1,307
Alquizar District .....	8,746	San Miguel del Padron and Pepe Antonio .....	2,482
Alquizar, Primero .....	1,837	Guara District (not given by wards) .....	1,835
Alquizar, Segundo .....	1,477	Guines District .....	11,394
Guanimar .....	485	First and Cruz .....	1,348
La Paz .....	1,011	Second and Rubio .....	3,357
Palenque .....	1,933	Third and Yamaraguas .....	2,350
San Andres .....	293	Fourth .....	1,094
Tumbadero .....	1,310	Candela North and South and Guana- najo .....	609
Bainoa District .....	1,725	Candela Baja, San Pedro, and San Julian .....	955
Bainoa and Santa Cruz .....	482	Nombre de Dios .....	1,681
Carabello .....	495	Guira de Melena .....	11,548
Mamey Duro and Reloj .....	748	Cajlo .....	963
Batabano District .....	6,523	Gabriel .....	764
Batabano .....	1,025	Jerez .....	1,274
Guanabo .....	436	Juribacoa .....	811
Mayaguanoo .....	352	Melena .....	1,452
Quintinal and San Augustin .....	976	Norte .....	2,620
Surgidero .....	3,683	Sur .....	2,396
Islands .....	51	Sibanican .....	1,136
Busta District .....	5,142	Tumbadero .....	682
Hoyo Colorado .....	1,046	Habana District .....	242,055
Baracos, Anafe, and Corralillo .....	1,025	Habana City—Arroyo Apolo .....	2,186
Punta Brava and Cangrejas .....	2,205	Arsenal .....	6,181
San Pedro and Guatao .....	866	Ataris .....	7,674
Bejucal District .....	5,756	Casa Blanca .....	2,440
Primero .....	997	Ceiba .....	6,788
Segundo .....	1,068	Cerro .....	10,741
Tercero .....	1,093	Chavez .....	7,596
Piedras .....	1,670	Colon .....	7,371
Remainder of district .....	928	Dragones .....	6,604
Cano District .....	4,210	Guadalupe .....	7,517
Arroyo Arenas .....	1,008	Jesus del Monte .....	9,369
Cano and Jaimanitas .....	1,320	Jesus Maria .....	3,915
Wajay .....	1,887	Luyano .....	1,254
Casiguas District (not given by wards) .....	1,004	Marte .....	5,002
Catalina District (not given by wards) .....	2,718	Monserrate .....	7,829
Ceiba del Agua District .....	2,197	Paula .....	3,791
Ceiba del Agua .....	909	Penalver .....	8,557
Virtudes and Chicharran .....	621	Pilar .....	6,111
Remainder of district .....	667	Pueblo Nuevo .....	8,376
Guanabacoa District .....	20,080	Punta .....	10,537
Asuncion, Este .....	1,506	San Felipe .....	3,560
Asuncion, Oeste .....	2,796	San Francisco .....	4,215
Bacuranoo .....	1,457	San Juan de Dios .....	4,420
Campo Florida .....	591	San Lazaro .....	20,616
Cofimar .....	1,585	San Leopoldo .....	7,494
Corral Falso, Este .....	1,838	San Nicolas .....	6,534
Corral Falso, Oeste .....	1,991	Santa Clara .....	4,667
		Santa Teresa .....	6,725
		Santo Angel .....	4,766
		Santo Cristo .....	4,637

## PROVINCE OF HABANA—Continued.

<b>Habana District—Continued.</b>			
Habana City—San Ysidro .....	5,805	Salud District (not given by wards) .....	3,298
Tacon .....	6,505	San Antonio de las Vegas District (not given by wards) .....	1,855
Templete .....	2,838		
Vedado y Principe .....	9,980	San Antonio de los Baños District .....	12,681
Villa Nueva .....	6,068	Armonia .....	672
Vives .....	5,050	Chicharo .....	404
Institutions .....	2,346	Este .....	2,065
Remainder of district—		Govea .....	671
Arroyo Naranjo .....	1,771	Monjas .....	925
Calvario .....	1,041	Norte .....	2,966
Puentes Grandes .....	3,262	Quintana .....	705
		Santa Rosa .....	457
<b>Isla de Pinos District .....</b>	<b>8,199</b>	Seborucal .....	452
Caleta Grande .....	315	Sur .....	3,147
Santa Fe .....	1,050	Valle .....	167
Remainder of district .....	1,884		
		<b>San Felipe District (not given by wards) ..</b>	<b>1,915</b>
<b>Jaruco District .....</b>	<b>4,076</b>	San Jose de las Lajas .....	4,154
Guanabo .....	908	Primero .....	92
Maceo, Garzo, Gualaicanamar, and Tablas .....	766	Segundo .....	2,096
Plaza, Jaruco, Cuartel, and Comercio ..	1,139	Remainder of district .....	1,130
Remainder of district .....	1,268		
<b>Madrugá District .....</b>	<b>8,744</b>	<b>San Nicolás District .....</b>	<b>4,568</b>
Concordia, Majagua, and San Blas ..	928	Babiney Prieto and Caimito .....	577
Madrugá, Este .....	676	Barbudo .....	736
Madrugá, Oeste .....	1,328	Paraduro and Gabriel .....	1,923
Remainder of district .....	812	San Nicolás and Jobo .....	1,332
<b>Managua District .....</b>	<b>2,887</b>	<b>Santa Cruz del Norte District .....</b>	<b>2,965</b>
Managua .....	1,063	San Antonio del Río Blanco .....	965
Remainder of district .....	1,824	Santa Cruz del Norte .....	934
		Remainder of district .....	1,066
<b>Marlanao District .....</b>	<b>8,593</b>		
Cocosoto .....	2,602	<b>Santa María del Rosario District .....</b>	<b>2,730</b>
Lisa .....	680	San Pedro .....	1,285
Playa .....	574	Santa María del Rosario .....	544
Pocito .....	1,560	Remainder of district .....	901
Quemados .....	3,177		
		<b>Santiago de las Vegas District .....</b>	<b>10,276</b>
<b>Melena del Sur District (not given by wards) .....</b>	<b>3,207</b>	Boyeros .....	1,553
		Calabazar .....	1,152
<b>Nueva Paz District .....</b>	<b>7,761</b>	Dona María .....	581
Bagaez .....	1,229	Norte .....	3,082
Nueva Paz .....	2,294	Rincon .....	920
Palos .....	2,630	Sur .....	3,068
Vegas .....	1,608		
		<b>Tapaste District .....</b>	<b>1,551</b>
<b>Piplán District (not given by wards) .....</b>	<b>1,101</b>	Santa Barbara and Jaula .....	272
<b>Quivicán District (not given by wards) ..</b>	<b>2,423</b>	Tapaste and San Andres .....	1,279
<b>Regla District .....</b>	<b>11,363</b>	<b>Vereda Nueva District .....</b>	<b>2,416</b>
First .....	2,818	Norte .....	1,125
Second .....	3,034	Sur .....	1,291
Third .....	3,001		
Fourth .....	2,510		

## PROVINCE OF MATANZAS.

TOTAL POPULATION .....	202,444	Guamacaro District.....	6,000
Alacranes District.....	8,110	Canimar.....	161
Estante.....	2,828	Coabas.....	1,197
Este.....	716	Collaseo.....	620
Galeoncito.....	474	Guamacaro.....	552
Norte.....	1,267	Limonar, Este.....	1,398
Oeste.....	1,777	Limonar, Oeste.....	1,488
Sur.....	1,068	San Miguel.....	874
Bolondron District.....	9,179	Sumidero.....	220
Bolondron 1.....	938	Jaguey Grande District.....	5,853
Bolondron 2.....	824	Cienaga Zapata.....	16
Bolondron 3.....	847	Gallardo.....	750
Guira.....	1,676	Jaguey Grande.....	1,999
Lucia and Gonzalo.....	2,826	Lopez.....	1,445
Piedras and Cienega.....	577	Ruvira.....	827
Punta and Alvarez.....	1,363	Sinu.....	816
Zapata and Galeon.....	683	Jovellanos District.....	7,529
Cabezas District.....	5,184	Asuncion.....	427
Bermeja.....	1,871	Jovellanos, Barrio 1.....	1,942
Bija.....	751	Jovellanos, Barrio 2.....	1,617
Cabezas.....	1,721	Jovellanos, Barrio 3.....	1,162
Lima.....	612	Realengo.....	363
Magdalena.....	229	San Jose.....	2,018
Canasi District.....	1,998	Macagua District.....	5,042
Norte.....	1,624	Arabos.....	2,241
Sur.....	369	Mayabon.....	1,092
Cardenas District.....	24,861	Monte Alto.....	680
Cardenas City—		Oeste.....	1,029
District 1, Barrio 1.....	1,659	Macuriges District.....	10,406
District 1, Barrio 2.....	3,564	Batalla.....	795
District 2, Barrio 1.....	1,374	Ciego.....	596
District 2, Barrio 2.....	3,720	Claudio.....	1,390
District 3, Barrio 1.....	3,987	Macuriges, Este.....	965
District 3, Barrio 2.....	2,306	Macuriges, Oeste.....	1,071
District 4, Barrio 1.....	3,145	Macuriges, Sur.....	1,066
District 4, Barrio 2.....	2,186	Navajas.....	731
Cautel and Guasimas.....	1,581	Platanal and Linch.....	313
Pueblo Nuevo, Fundacion, and Ver-		Punta Brava.....	1,508
salles.....	311	Rio Blanco.....	1,577
Varadero.....	1,029	Tramojos.....	404
Carlos Rojas District (not given by bar-		Marti District.....	8,905
rios).....	3,174	Guamutas.....	2,506
Colon District.....	12,195	La Teja.....	695
Amarillas.....	1,746	Los Cayos.....	374
Calimete.....	3,274	Marti, Norte.....	2,495
Colon, Barrio 1.....	1,412	Marti, Sur.....	396
Colon, Barrio 2.....	1,653	Motembo.....	2,188
Colon, Barrio 3.....	919	Ytabo.....	252
Colon, Barrio 4.....	787	Matanzas District.....	45,282
Colon, Barrio 5.....	1,299	Matanzas City—	
Colon, Barrio 6.....	1,105	District 1, Barrio 1.....	1,500
Cuevitas District.....	5,807	District 1, Barrio 2.....	2,570
Asiento.....	509	District 2, Barrio 1.....	4,147
Cuevitas.....	2,684	District 2, Barrio 2.....	3,596
Jabaco.....	997	District 3, Barrio 1.....	5,050
Venturilla.....	1,667	District 3, Barrio 2.....	2,305
		District 4, Barrio 1.....	3,270

## PROVINCE OF MATANZAS—Continued.

Matanzas District—Continued.		Perico District .....	4,449
Matanzas City—Continued.		Altamisal .....	1,689
Pueblo Nuevo .....	8,420	Perico, Norte .....	2,436
Versalles .....	4,812	Perico, Sur .....	324
Asylums, convents, and hospitals.	704		
Arroyo and Campana .....	1,143	Roque District .....	4,464
Camarioca .....	814	Coabillas .....	1,434
Caminar and Paso Seco .....	597	Guamajales .....	499
Ceiba Mocha .....	1,828	Mostacilla .....	688
Chirino .....	702	Quintana and Tomeguin .....	361
Corral Nuevo .....	754	Roque .....	1,482
Cumbre and Bacunayagua .....	1,831	Sabanilla District .....	5,205
Guanabana .....	1,005	Mondejar and Auras .....	401
San Francisco .....	234	Palma and Canimar .....	1,023
		Sabanilla .....	3,781
Maximo Gomez District .....	4,046		
Altamisal .....	776	San José de los Ramos District .....	6,765
Maximo Gomez .....	2,292	Banaguises, Pueblo .....	931
Rancho del Medio .....	701	Banaguises, Rural .....	2,046
Sabanilla .....	277	Pueblo Nuevo .....	1,487
		San José de los Ramos .....	2,301
Mendez Capote District .....	2,158		
Contreras .....	921	Santa Ana District .....	2,965
Mendez Capote, 1 .....	812	Barrio 1 .....	1,421
Mendez Capote, 2 .....	425	Barrio 2 .....	285
		Barrio 3 .....	722
almillas District .....	7,647	Barrio 4 .....	453
Cumanayagua .....	969	Barrio 5 .....	84
Guareiras .....	793	Union de Reyes District .....	5,226
Jacan .....	1,642	Pueblo Nueva .....	545
Manguito .....	3,289	Yglesia 1 .....	1,969
Palmillas .....	954	Yglesia 2 .....	1,707
		Yglesia 3 .....	1,005

## PROVINCE OF PINAR DEL RIO.

TOTAL POPULATION .....	173,064	Candelaria District—Continued.	
Artemisa District .....	9,317	Carambala, Lomas, and Rio Hondo ..	808
Artemisa .....	4,179	Las Mangas .....	1,290
Canas .....	984	San Juan de Barracones, Miracillos, and Frias .....	456
Capellamias .....	222		
Cayajabos .....	1,022	Consolacion del Norte District .....	7,399
Dolores .....	1,692	Berracos .....	1,058
Puerta la Guira .....	498	Caiguanabo .....	439
Virtudes .....	719	La Jagua .....	1,567
Bahia Honda District .....	2,117	La Palma and Rio de Puercos .....	1,240
Bahia Honda and Aguacate .....	1,278	Las Puertas .....	594
Cerralillo and Mulato .....	214	Rio Blanco and Arroyo Naranjo .....	888
San Miguel and Manimani .....	625	San Andres .....	671
		Vegas Nuevas .....	944
Cabanas District .....	3,853		
Cabanas and San Miguel .....	1,917	Consolacion del Sur District .....	16,665
Ceiba .....	1,366	Alonso Rojas .....	2,132
Conchita and Delicias .....	228	Colmenar and Hato Quemado .....	676
Vigia and San Ramon .....	342	Consolacion del Sur City not given by wards .....	3,062
Candelaria District .....	4,866	Horcones .....	1,608
Byate, Puerto Rico, and San Juan del Norte .....	680	Lajas and Caperuza .....	702
Candelaria .....	1,697	Lena .....	914
		Naranjo and Calmitos .....	1,073
		Pilotes .....	1,918



## PROVINCE OF PINAR DEL RIO—Continued.

<b>Consolacion del Sur District—Continued.</b>		<b>Pinar del Rio District</b> .....		<b>88,843</b>
Rio Hondo and Tagua.....	2,846	Cabezas.....	1,521	
San Pablo and Camarones.....	1,569	Cangre.....	4,208	
Santa Clara.....	645	Tatrones.....	4,694	
<b>Guanajay District</b> .....		Guayabo.....	1,894	
Cabrioles.....	588	Marcos Vasques.....	974	
Guanajay, Norte.....	2,675	Ovas.....	2,883	
Guanajay, Sur.....	3,806	Paso Viejo.....	2,351	
San Francisco.....	626	Pinar del Rio, Norte.....	3,949	
San Jose.....	389	Pinar del Rio, Sur.....	4,981	
Santa Ana.....	765	Rio Feo.....	1,084	
<b>Guane District</b> .....		Rio Sequito.....	4,278	
Cabo de San Antonio.....	270	San Jose.....	2,512	
Cortes and Serranos.....	1,855	Sumidero.....	2,478	
Guane.....	1,088	Ysabel Maria.....	1,186	
Juan Gomez.....	912	<b>San Cristobal District</b> .....		<b>4,283</b>
La Grifa.....	2,113	Mayari, 1 and 2.....	277	
Martinas.....	1,746	Minas and Rio Hondo.....	402	
Paso Real and Catalina.....	890	San Cristobal.....	1,996	
Portoles and Feneria.....	1,258	Santa Cruz de los Pinos.....	1,357	
Punta de la Sierra and Las Acostas..	1,502	Sitio Herrero.....	281	
Remates.....	3,014	<b>San Diego de los Banos District (not given by wards)</b> .....		<b>2,419</b>
Sabalo, Trinidad, and Santa Teresa..	667	<b>San Diego de Nunes District (not given by wards)</b> .....		<b>1,187</b>
<b>Guayabal District</b> .....		<b>San Juan y Martinez District</b> .....		<b>14,787</b>
Caimito.....	1,260	Arroyo Hondo.....	1,918	
Guayabal and Banos.....	879	Galafre and Guillen.....	558	
Quintana.....	562	Lagunillas.....	1,288	
<b>Julian Diaz District</b> .....		Luis Lazo.....	4,193	
Herradera and Ceja de la Herradura..	516	Primero de Martinez.....	1,097	
Julian Diaz and Palacios.....	1,260	Rio Seco.....	1,920	
Santa Monica and Guajiro.....	95	San Juan y Martinez.....	2,970	
<b>Los Palacios District</b> .....		Segundo de Martinez.....	898	
Toro and Bacunaguas.....	198	<b>San Luis District</b> .....		<b>7,606</b>
Los Palacios.....	1,549	Barbacoa.....	1,085	
Macuriges.....	238	Barrigonas.....	544	
Sierra, Santo Domingo, and Limones..	471	Tirado.....	648	
<b>Mantua District</b> .....		Llanada.....	415	
Arroyos and Santa Ysabel.....	1,079	Palizadas.....	608	
Baja.....	3,741	Rio Seco.....	760	
Cabezas and La Ceja.....	1,281	San Luis.....	3,558	
Guayabo and Lazaro.....	283	<b>Vinales District</b> .....		<b>17,700</b>
Mantua and Montezuelo.....	802	Albino.....	739	
Santa Maria and San Jose.....	428	Ancan.....	926	
Sierra Derrumbado.....	757	Cayos de San Felipe.....	417	
<b>Maribel District</b> .....		Quajani.....	2,021	
Jobaco and Royo.....	258	Laguna de Piedra.....	2,328	
Macugual and Quiebra Hacha.....	1,068	Rosario.....	2,061	
Maribel and Boca.....	2,086	San Cayetano.....	2,920	
Molina, Mosquitos, and Guajaybon..	161	San Vincente.....	1,937	
San Juan Bautista and Playa.....	74	Santa Fe.....	657	
		Santa Tomas.....	1,570	
		Vinales.....	1,600	
		Yayal.....	524	

## PROVINCE OF PUERTO PRINCIPE.

TOTAL POPULATION .....	88,284	Puerto Principe District.....	53,144
Ciego de Avila District .....	9,801	Altagracia.....	1,240
Arroyo Blanco.....	862	Caobillas.....	1,722
Celba.....	208	Casorro.....	1,904
Ciego de Avila.....	3,892	Contramaestra.....	2,368
Guanales.....	506	Ecuador.....	2,215
Iguara.....	419	Guaimaro.....	2,948
Jicotea.....	414	Guanaja.....	848
Jucaro.....	468	Limonas.....	830
Lazaro Lopez.....	1,121	Magarabomba.....	1,304
Nuevas.....	957	Maraguan.....	1,110
Nuevas de Jobos.....	464	Minas.....	2,318
San Nicolas.....	498	Pueblo Nuevo.....	1,655
Moron District.....	9,680	Puerto Principe 1.....	2,876
Chambas.....	925	Puerto Principe 2.....	2,474
Cupeyes.....	638	Puerto Principe 3.....	5,115
Guadalupe.....	1,554	Puerto Principe 4.....	5,184
Marroquin.....	1,078	Puerto Principe 5.....	2,080
Moron Este.....	1,439	Puerto Principe 6.....	1,960
Moron Oeste.....	1,731	Puerto Principe 7.....	2,407
Punta Alegre.....	496	Puerto Principe 8.....	1,657
Sandoval.....	1,028	Puerto Principe 9.....	1,349
Santa Gertrudes.....	752	Quemado.....	805
Nuevitas District.....	10,365	San Geronimo.....	986
Baga.....	277	Sibanicu.....	1,763
Lugareno.....	1,510	Vista Hermosa.....	961
Nuevitas 1.....	1,098	Yaba.....	2,295
Nuevitas 2.....	1,678	Yeaguas.....	748
Nuevitas 3.....	1,462	Santa Cruz del Sur District.....	5,306
Redencion.....	890	Buena Ventura.....	352
Sabinal.....	107	Calizada and Playa Bonita.....	2,098
San Miguel.....	716	Guacauamar.....	596
Senado.....	2,687	Guayabal.....	937
		Junco.....	1,083
		San Pedro.....	240

## PROVINCE OF SANTA CLARA.

TOTAL POPULATION .....	356,586	Camajuani District—Continued.	
Abreus District (not given by wards) .....	3,996	Santa Clarita.....	1,501
Caibarien District.....	8,650	Zulueta.....	1,318
Caibarien.....	7,018	Cartagena District.....	6,244
Conuco.....	496	Arriete and Banos.....	556
Guajabana.....	478	Cartagena.....	1,917
Taneo.....	668	Cascajal.....	2,017
Calabazar District.....	13,419	Ciego Montero.....	433
Centro.....	3,756	Santiago.....	559
Encrucijada.....	2,689	Soledad.....	768
Mata y Bana.....	1,267	Ceja de Pablo District.....	6,964
Paso Real.....	438	Ceja de Pablo.....	278
Santo.....	2,578	Corralillo.....	2,598
Sitio Grande.....	590	Palma Sola.....	201
Viana.....	2,111	Sabana Grande.....	1,199
Camajuani District.....	14,496	Sierra Morena.....	2,702
Camajuani.....	5,082	Cienfuegos District.....	59,128
Egidos.....	700	Aguada de Pasajeros.....	8,777
Guadalupe.....	2,569	Arimao.....	3,016
Sabana.....	1,621	Auras.....	437
Salamanca.....	1,704	Calmanera.....	717

## PROVINCE OF SANTA CLARA—Continued.

## Cienfuegos District—Continued.

Calisito .....	499
Castillo .....	1,383
Caunao .....	3,597
Cayos .....	113
Charcas .....	786
Cienfuegos City, not given by wards ..	30,088
Cumanayagua .....	1,403
Gavilan and Gavilancio .....	364
Jicotea .....	706
Manacas .....	1,540
Mandinga .....	498
Ojo de Agua .....	498
Ramirez .....	680
Sierra .....	583
Yaguaramas .....	3,609

## Cifuentes District .....

Alacran .....	446
Amaro .....	248
Barro .....	279
Cifuentes .....	2,172
Sitio Grande .....	680

## Cruces District .....

Cruces .....	4,173
Maldito .....	2,284
Montefirme .....	678
Pueblo Nuevo .....	818

## Esperanza District .....

Asiento Viejo .....	576
Esperanza Norte .....	997
Esperanza Sur .....	1,180
Jabonilla .....	720
Nuevas .....	1,309
Purial .....	915
San Jose .....	976
San Vicente .....	1,138

## Palmira District .....

Arango .....	2,008
Palmira .....	4,519

## Placetas District .....

Guaracabulla .....	1,194
Hernando and Sitio Potrero .....	1,215
Nazareno .....	719
Placetas and Tibical .....	7,366
San Andre and Vista Hermosa .....	1,467

## Quemado de Guines .....

Caguaguas .....	540
Carabatas .....	1,515
Guines .....	1,174
Paso Covado .....	1,288
Quemado de Guines .....	3,082
San Valentin .....	843
Zambumbia .....	848

## Rancho Velos District .....

Agua Clara .....	1,218
Chavez .....	1,156
Crimea .....	1,240
Guarillas .....	936
Santa Fe .....	2,982

## Ranchuelo District .....

Posa de la China .....	1,101
Ranchuelo 1 .....	2,170
Ranchuelo 2 .....	849
Sitio Viejo .....	939

## Rodas District .....

Congojas .....	2,171
Jabacoa .....	139
Limonas .....	2,585
Medidas .....	1,327
Rodas .....	3,390

## Sagua la Grande District .....

Chinchilla .....	1,654
Jumagua .....	2,478
Sagua la Grande, Norte .....	7,009
Sagua la Grande, Sur .....	5,659
San Juan .....	769
Sitietico .....	1,366
Isabela .....	2,352

## San Antonio de las Vueltas District .....

Aguada de Moya .....	1,065
Bosque .....	2,019
Ceja de Pablo .....	1,545
Charco Hondo .....	1,013
Egidos .....	634
Piedras .....	1,204
Quinta .....	1,422
Sagua la Chica and Cayos .....	542
San Antonio de las Vueltas .....	1,336
Taguayabon .....	912
Vega Alta .....	1,140

## Sancti Spiritus District .....

Banco .....	436
Bella Mota .....	981
Chorra Brava .....	88
Cabaiguan .....	1,135
Guasimal .....	1,500
Guayos .....	1,430
Jibaro .....	433
Manacas .....	475
Paradis .....	578
Paula .....	2,066
San Andres Rustica and Pueblo Nuevo .....	1,085
Santa Lucia .....	554
Taguasco and Pedro Barba .....	1,293
Tunas and Zaza .....	1,014
Sancti Spiritus City, not given by wards .....	12,696

## San Diego del Valle District .....

Centro .....	1,298
Hatillo .....	461
Jicotea .....	665
Maguayaya Abajo y Arriba .....	1,154
Mango .....	302
Sitio Nuevo .....	359
Yabu .....	1,130

## San Fernando District .....

Ciego Alonso .....	1,238
Escarza .....	1,770

## PROVINCE OF SANTA CLARA—Continued.

<b>San Fernando District—Continued.</b>		<b>Santa Isabel de las Lajas District—Continued.</b>	
Lomas Grandes.....	786	Salado and Santa Rosa .....	407
Paradero .....	1,578	Salto .....	1,199
San Fernando .....	1,078	Terry.....	817
<hr/>		<hr/>	
San Juan de las Yeras District .....	5,600	Santo Domingo District .....	10,372
<hr/>		<hr/>	
Aguas Bonitas.....	415	Alvarez and Mordazo.....	1,085
Bernia.....	618	Baracaldo, Potrerillo and Arenas .....	1,346
Guayo.....	927	Jicotea and San Cartolome .....	1,246
Potrerrillo.....	741	Jiquiboy and Juqui .....	431
Quemado Hilario.....	508	Manacas and San Marcos.....	886
San Juan .....	2,401	Puerto Escondido .....	741
<hr/>		Rio and Cerrito.....	734
San Juan de los Remedios District .....	14,888	Rodrigo .....	583
<hr/>		Santo Domingo, Este .....	1,184
Bartolome .....	512	Santo Domingo, Oeste.....	895
Buenavista .....	4,071	San Juan .....	521
Cangrejo and Remate .....	1,718	Yabucito .....	720
Carolina.....	558	<hr/>	
Guantjibes.....	1,047	Trinidad District .....	24,271
Remedios .....	6,683	<hr/>	
Tetuan .....	294	Cabagan.....	762
<hr/>		Caracusey.....	676
Santa Clara District .....	28,437	Casilda .....	2,234
<hr/>		Fomento .....	1,769
Baez.....	1,456	Guanigüical .....	985
Carmen.....	3,051	Guinea de Miranda.....	1,056
Condado.....	1,110	Jiquimas .....	825
Egidos.....	1,987	Rio de Ay .....	2,417
La Cruz.....	2,111	San Francisco .....	546
Manicaragua .....	2,916	San Pedro .....	892
Parroquia .....	3,349	Toyaba .....	989
Pastora .....	3,171	Trinidad City, not given by wards....	11,120
Provincial.....	1,195	<hr/>	
Puente .....	2,594	Yaguajay District .....	9,718
San Gil .....	3,411	<hr/>	
Seibabo.....	1,598	Bamburano .....	981
Institutions.....	488	Centeno .....	447
<hr/>		Mayajigua.....	1,294
Santa Isabel de las Lajas District .....	9,608	Meneses .....	1,658
<hr/>		Seibabo.....	1,371
Centro.....	6,915	Yaguajay.....	2,692
Nuevas .....	265	Keys and Institutions .....	1,835

## PROVINCE OF SANTIAGO.

<b>TOTAL POPULATION .....</b>		327,715	<b>Baracoa District—Continued.</b>	
Alto Songo District.....	12,770		Duaba .....	1,186
Alto Songo, Norte.....	1,692		Grantierra.....	632
Alto Songo, Sur.....	1,466		Guandao .....	1,536
Florida Blanca .....	1,081		Guiniao .....	1,686
Jaragueaca .....	544		Hoyos .....	729
Loma del Gato.....	585		Jamal .....	1,024
Mayari Arriba.....	975		Jauco.....	1,425
Moron .....	927		Maisi .....	108
Palenque .....	1,900		Mandinga .....	910
Socorro and Maya .....	1,585		Mata .....	738
Ti-Arriba .....	2,015		Monte Cristo.....	739
<hr/>			Nibujon .....	514
Baracoa District.....	21,944		Quemado .....	263
<hr/>			Sabana .....	654
Baracoa City, not given by wards....	4,937		Sabanilla .....	780
Cabacu .....	715		Sitio .....	478
Canete.....	322		Toar .....	735

## PROVINCE OF SANTIAGO—Continued.

## Baracoa District—Continued.

Vegueta.....	541
Vertientes.....	650
Ymias.....	547

## Bayamo District.....

21, 136

Barrancas.....	1,596
Bucayito.....	1,590
Cauto del Embarcadero.....	1,571
Cristo.....	1,786
Datil.....	2,142
Guamo.....	789
Guisa.....	3,565
Horno.....	1,298
Laguna Blanco.....	1,856
San Juan.....	1,234
Vegueta.....	2,784

## Campechuela District.....

7,369

Campechuela City, not given by wards.....	2,254
Ceiba Hueca.....	2,149
San Ramon.....	1,966

## Caney District.....

9,126

Barajagua.....	174
Caney.....	844
Daiquiri.....	1,380
Demajayagua.....	1,762
Dos Bocos.....	1,217
Guaninicum.....	1,247
Lagunas.....	1,205
Pas de los Naranjos.....	284
Sevilla.....	561
Zacatecas.....	462

## Cobre District.....

10,707

Aserradero.....	459
Botija.....	324
Brazo Cauto.....	1,150
Calmanes.....	698
Cayo Smith.....	265
Cobre.....	1,028
Dos Palmas.....	1,226
Ermittano.....	240
Hongolongo.....	1,967
Macio.....	92
Manacas.....	1,426
Mina Mina.....	421
Rio Frio.....	605
Santa Rita.....	514
Sevilla.....	272

## Cristo District—Not given by wards.....

1,194

## Gibara District.....

81,594

Arroyo Blanco.....	1,739
Banes.....	5,730
Barial.....	1,047
Bocas.....	3,023
Candelaria.....	436
Cantimplora.....	515
Fray Benito.....	2,663
Gibara City, not given by wards.....	6,841
Jobabo.....	1,266
Potrerrillo.....	920

## Gibara District—Continued.

Pueblo Nuevo.....	836
Sama.....	1,066
Santa Lucia.....	3,436
Santa Rosalia.....	573
Tabason.....	678

## Guantanamo District.....

28,063

Arroyo Hondo.....	1,040
Baitiquiri.....	164
Bano.....	828
Calmanera.....	620
Camaronas.....	757
Caridad.....	516
Castiba.....	587
Caskey Abajo.....	508
Caskey Arriba.....	443
Corralillo.....	552
Caurro Caminos.....	441
Glorieta.....	2,052
Gobierno.....	1,219
Guaso.....	1,514
Hospital.....	1,594
Jaibo Abajo.....	320
Jaibo Arriba.....	296
Jamaica.....	2,151
Lajas.....	1,371
Macuriges.....	493
Mercado.....	915
Ocnjal and Boques.....	90
Palmar.....	1,165
Palma San Juan.....	231
Parroquia.....	1,540
Rastro.....	831
Rio Seco.....	1,334
Signal.....	402
Tiguabo.....	1,538
Vinculo.....	754
Yateras.....	1,651
Ysleta.....	80
Yndios.....	107

## Holguin District.....

34,506

Agua Clara.....	681
Alcala.....	2,022
Alfonso.....	1,066
Auras.....	1,604
Bijaru.....	2,152
Camasan.....	1,257
Corralito.....	1,028
Cuabas.....	1,228
Holguin City, not given by wards.....	6,045
La Caridad.....	1,063
La Palma.....	2,101
Mala Noche.....	708
Purnio.....	980
San Augustin.....	2,163
San Andres.....	1,181
San Lorenzo.....	1,060
San Pedro de Cacocum.....	1,323
Sao Arriba.....	1,080
Tacajo.....	896
Tacamara.....	882
Unas.....	1,324

## PROVINCE OF SANTIAGO—Continued.

<b>Holguin District—Continued.</b>		<b>Palma Soriano District—Continued.</b>	
Velasco.....	1,777	Las Cuchillas.....	1,988
Yareyal.....	927	Palma Soriano.....	1,776
<b>Jiguani District.....</b>	<b>10,496</b>	Remanganaguas.....	1,688
Babiney.....	2,766	San Leandro.....	1,003
Baire.....	2,972	Santo Filomeno.....	682
Calabazar.....	1,026	Sitio.....	1,835
Jiguani.....	655	<b>Puerto Padre District.....</b>	<b>19,984</b>
Rinconada.....	1,012	Arenas.....	1,119
Santa Rita.....	889	Castinu.....	1,658
Ventas.....	1,225	Canto del Paso.....	1,500
<b>Manzanillo District.....</b>	<b>82,268</b>	Chaparra.....	1,086
Banguisal.....	1,040	Curano.....	1,080
Calicito.....	788	Maniti.....	1,064
Cano.....	1,112	Maniabon.....	995
Congo.....	796	Ojo de Agua.....	1,157
Dos Cuartones.....	648	Oriente.....	2,471
Esperanza.....	1,726	Palmarito.....	1,072
Jibacos.....	2,024	Playuelas.....	1,083
Manzanillo City, not given by wards.	14,464	San Manuel.....	2,788
Media Luna.....	8,819	Tunas.....	608
Portillo.....	440	Vedado.....	1,300
Tranquilidad.....	884	Yarey.....	1,281
Vicana.....	1,642	<b>Sagua de Tanamo District.....</b>	<b>5,796</b>
Yara.....	1,284	Basan.....	781
Zarzal.....	2,276	Calabazos.....	952
<b>Mayari District.....</b>	<b>8,504</b>	Esteron.....	545
Barajagua.....	728	Juan Dias.....	714
Biran.....	529	Miguel.....	665
Braguetudos.....	1,454	Sagua de Tanamo.....	1,252
Cabonico.....	688	Zabala.....	887
Chavaleta.....	1,230	<b>San Luis District.....</b>	<b>11,681</b>
Chucho.....	494	Dos Caminos.....	3,991
Guayabo.....	1,898	La Luz.....	618
Sabanilla.....	177	Monte dos Leguas.....	2,013
San Gregorio.....	1,821	San Luis.....	5,069
<b>Niquero District.....</b>	<b>2,718</b>	<b>Santiago de Cuba District.....</b>	<b>45,478</b>
Niquero City.....	1,560	Belen.....	6,365
Velis.....	580	Catedral.....	5,152
Cabo Cruz and Pinta de Practico.....	578	Cristo.....	5,310
<b>Palma Soriano District.....</b>	<b>12,805</b>	Dajoa.....	1,555
Cauto Abajo.....	889	Dolores.....	9,011
Cauto Baire.....	777	Ramon de las Yaguas.....	2,388
Concepcion.....	1,526	Santo Tomas.....	8,066
Dorados.....	691	Trinidad.....	6,887
		Institutions.....	775

TABLE II.

## CITIES.

City.	Province.	Popula- tion.
Abreus.....	Santa Clara.....	1,800
Aguacate.....	Habana.....	1,666
Alquizar.....	do.....	3,714
Alto Songo.....	Santiago.....	3,158
Artemisa.....	Pinar del Rio.....	2,312
Baracoa.....	Santiago.....	4,987
Batabano.....	Habana.....	1,025
Bayamo.....	Santiago.....	3,022
Bejucal.....	Habana.....	4,823
Bolondron.....	Matanzas.....	2,604
Cabezas.....	do.....	1,721
Caibarien.....	Santa Clara.....	7,013
Calabazar.....	do.....	1,675
Camajuaní.....	do.....	5,082
Campechuela.....	Santiago.....	3,264
Cardenas.....	Matanzas.....	21,940
Ciego de Avila.....	Puerto Principe.....	2,919
Cienfuegos.....	Santa Clara.....	30,038
Cifuentes.....	do.....	1,485
Cobre.....	Santiago.....	1,023
Colon.....	Matanzas.....	7,175
Consolation del Sur.....	Pinar del Rio.....	3,062
Corral Falso.....	Matanzas.....	3,823
Cristo.....	Santiago.....	1,194
Crucce.....	Santa Clara.....	4,173
Ouevitas.....	Matanzas.....	2,634
Daiquiri.....	Santiago.....	1,890
Encrucijada.....	Santa Clara.....	1,725
Esperanza.....	do.....	2,177
Gibara.....	Santiago.....	6,841
Juanabacoa.....	Habana.....	13,965
Guantanamo.....	Pinar del Rio.....	6,483
Guines.....	Santiago.....	7,187
Guira.....	Habana.....	8,149
Habana.....	Matanzas.....	1,676
Habana.....	Habana.....	235,981
Holguin.....	Santiago.....	6,045
Jaruco.....	Habana.....	1,189
Jovellanos.....	Habana.....	1,189
Limonar.....	Matanzas.....	4,721
do.....	do.....	2,876
Macagua.....	do.....	1,467
Madrugá.....	Habana.....	2,004
Managua.....	do.....	1,063
Manguito.....	Matanzas.....	1,534
Manzanillo.....	Santiago.....	14,464
Marianao.....	Habana.....	5,416
Matanzas.....	Matanzas.....	36,374
Maximo Gomez.....	do.....	1,743
Mayari.....	Santiago.....	1,821
Melena.....	Habana.....	5,016
Moron.....	Puerto Principe.....	2,084
Niguero.....	Santiago.....	1,560
Nueva Paz.....	Habana.....	2,294

## CITIES—Continued.

City.	Province.	Population.
Nuevitas.....	Puerto Principe.....	4, 228
Palma Soriano.....	Santiago.....	1, 776
Palmira.....	Santa Clara.....	4, 519
Perico.....	Matanzas.....	2, 436
Pinar del Rio.....	Pinar del Rio.....	8, 880
Placitas.....	Santa Clara.....	5, 409
Puentes Grandes.....	Habana.....	2, 683
Puerto Padre.....	Santiago.....	1, 729
Puerto Principe.....	Puerto Principe.....	25, 102
Quemado de Guines.....	Santa Clara.....	1, 562
Quivicán.....	Habana.....	1, 800
Rancho Velos.....	Santa Clara.....	1, 514
Ranchuelo.....	do.....	3, 019
Regla.....	Habana.....	11, 363
Remedios.....	Santa Clara.....	6, 633
Rodas.....	do.....	3, 390
Roque.....	Matanzas.....	1, 482
Sabanilla.....	do.....	2, 200
Sagua de Tanamo.....	Santiago.....	1, 252
Sagua la Grande.....	Santa Clara.....	12, 728
San Antonio de los Baños.....	Habana.....	8, 178
Sancti Spiritus.....	Santa Clara.....	12, 696
San Felipe.....	Habana.....	1, 450
San Fernando.....	Santa Clara.....	1, 078
San Jose de las Lajas.....	Habana.....	3, 024
San Jose de los Ramos.....	Matanzas.....	2, 310
San Juan de las Yeras.....	Santa Clara.....	1, 469
San Luis.....	Santiago.....	5, 050
Santa Ana.....	Matanzas.....	1, 421
Santa Clara.....	Santa Clara.....	13, 763
Santa Cruz del Sur.....	Puerto Principe.....	1, 210
Santa Fe.....	Habana.....	1, 050
Santa Ysabel de las Lajas.....	Santa Clara.....	3, 042
Santiago.....	Santiago.....	43, 090
Santiago de las Vegas.....	Habana.....	7, 151
Santo Domingo.....	Santa Clara.....	2, 079
Surgidero.....	Habana.....	3, 683
Trinidad.....	Santa Clara.....	11, 120
Vereda Nueva.....	Habana.....	2, 416
Vinales.....	Pinar del Rio.....	1, 600
Vueltas.....	Santa Clara.....	1, 336
Yaguajay.....	do.....	1, 206
Yglesia.....	Matanzas.....	3, 441



1900

# CENSUS OF CUBA,

TAKEN UNDER

THE DIRECTION OF THE WAR DEPARTMENT, U. S. A.

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## BULLETIN NO. II.

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POPULATION BY AGE, SEX, RACE, NATIVITY, CONJUGAL  
CONDITION, AND LITERACY.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1900.



WAR DEPARTMENT, CUBAN CENSUS,  
OFFICE OF THE DIRECTOR,  
*Washington, April 30, 1900.*

SIR: I have the honor to submit herewith Bulletin No. II, which presents the population of Cuba in the six provinces and the city of Habana, classified by sex, race, and nativity; by age and sex; by conjugal condition; by birthplace and citizenship; and by literacy, school attendance, and superior education.

Table I presents a summary for the entire island of the above facts, followed by Tables II to V, which give them for the six provinces individually and for the city of Habana.

Very respectfully,

J. P. SANGER, *Ins. Genl.*,  
*Director Census of Cuba.*

Hon. ELIHU ROOT,  
*Secretary of War, Washington, D. C.*



# CENSUS OF CUBA.

## SEX AND RACE.

As appears from Table I, Cuba had 57,613 more males than females, an excess equal to 3.6 per cent of the entire population. In this respect Cuba differs from all the West India islands in the vicinity for which the facts are obtainable, such as Jamaica, Porto Rico, and the Bahamas, and resembles Trinidad and the United States. In Trinidad the excess of males (1891) was 8.2 per cent of the population, while in the United States (1890) it was 2.4 per cent.

This excess of males in Cuba was distributed through the provinces as follows:

Province.	Absolute excess of males.	Per cent of total population.
Santa Clara.....	21,578	6.1
Pinar del Rio.....	10,312	6.0
Habana.....	19,176	4.5
Matanzas.....	5,008	2.5
Puerto Principe.....	1,564	1.8
Santiago de Cuba.....	— 25	.....

From this table it appears that the excess of males was practically confined to the western half of the island, the four western provinces, and reached its maximum in the two extreme provinces of this half, viz, Santa Clara and Pinar del Rio.

On comparing the results of the present census with those of the Spanish census of 1887 the excess of males is seen to have decreased rapidly in twelve years. In 1887 the excess of males in the *de jure* population was 123,739, while in 1899 it was less than half that amount. During the twelve years the number of males and of females apparently changed in opposite directions, that of the females having increased by nearly fifteen thousand (14,924) and that of the males having decreased by over fifty thousand (51,202). Thus the females increased 2 per cent and the males decreased nearly 6 per cent in twelve years. From the time of the first Cuban census in 1775, as quoted by Humboldt, this excess of males has been a constant characteristic of the population.

Some light is thrown upon this excess by an examination of the figures of Table II for birthplace and race. The population is divided there by race into white, negro, mixed, and Chinese, and the first group subdivided into native and foreign whites. The following table shows the excess of males or of females in each of these five groups:

Class of population.	Excess of—		Per cent of excess of—	
	Males.	Females.	Males.	Females.
Mixed .....		19,806		7.1
Negro .....		10,842		4.6
Native white.....		15,553		1.7
Foreign white .....	89,282		62.8	
Chinese .....	14,531		97.8	

The three classes which are entirely or in great part natives of Cuba had a perceptible excess of females, while the two classes of immigrants had a far greater excess of males. Hence it is clear that the excess of males in Cuba is due to the character of the immigration.

#### NATIVITY AND RACE.

The native whites constituted 57.8 per cent, or considerably more than one-half of the population of Cuba. The foreign whites constituted but 9 per cent; the colored, including the negro and mixed elements, amounted only to 32 per cent, or less than one-third, while the proportion of Chinese was trifling, being less than 1 per cent.

In every province the native whites formed a majority of the population, but in the city of Habana, owing to the large element of foreign birth, they formed a trifle less than one-half, or 49 per cent. The proportion of native whites was greatest in the province of Puerto Principe, the sparsely settled, pastoral province, where it reached 75.2 per cent, or more than three-fourths of all the inhabitants. It was next largest in Pinar del Rio, which is mainly a farming province, where it reached 66.5 per cent, or nearly two-thirds. Santa Clara had 60 per cent, Habana, 57.3 per cent, and Matanzas had 50.7 per cent, or but a trifle more than one-half.

The proportion of the foreign born ranged from 4 per cent in Santiago, to 16.2 in Habana province, and even to 22.4 per cent in Habana city. Between a fourth and a fifth of the population of Habana city was of foreign birth. Puerto Principe had a very small foreign element, and in Matanzas and Pinar del Rio it was by no means large. The colored element, including the negro and mixed races, ranged from 20 per cent in Puerto Principe up to 45 per cent in Santiago. It was large in Matanzas, reaching 40 per cent, was 30 per cent in Santa Clara, 27 per cent in Pinar del Rio, and 26 per cent in Habana province, while the proportion in Habana city was 27.3 per cent.

The Chinese did not form an element of importance in any of the provinces, but were most numerous in Matanzas, where they formed 2.1 per cent of the population.

Chinese immigration into Cuba began in 1847, and in 1861 there were 34,834 Chinese in the island, of whom 57 were women.

Their gradual disappearance from Cuba has been attributed to the physical superiority of the native Cuban, the low wages paid to them, the suppression of negro slavery, and the frequent insurrections and disturbances of the people.

The great disparity in the proportion of males and females is probably due to the restrictions of the Spanish laws, under which Chinese women were not allowed to land in Cuba, and to the Chinese law forbidding the emigration of women, although, as is well known to those who have traveled throughout the United States, more especially in California, this law has not been enforced.

#### AGE.

In Table III the ages of the population by sex are presented for each province and the city of Habana in five age groups—0 to 4, 5 to 17, 18 to 20, 21 to 44, 45+. The number under 5 years of age was 8.3 per cent of the whole, while in Jamaica in 1891 it was 13 per cent, in the Barbados 13.6, and in the United States in 1890 it was 12.2. The last time the population of Cuba was counted with distinction of age was in the Spanish census of 1861, and at that time the age groups recognized were under 1, 1 to 7, 8 to 15, etc. But from those figures it is possible to estimate, approximately, the number of children in Cuba under 5 in 1861, and the result reached is over 12 per cent of the total population. Assuming this to be under ordinary conditions the normal ratio in Cuba, the deficiency of about 60,000 children under 5, shown by the present census, must be attributed to the events of the last five years in the island.

The ratio of children under 5 to the total population by provinces is shown in the following table:

Province.	Per cent of population under 5.	Province.	Per cent of population under 5.
Puerto Principe .....	11.1	Matanzas.....	7.9
Santiago.....	9.8	Santa Clara.....	7.4
Pinar del Rio.....	9.1	Habana .....	7.8

This indicates the provinces in which recent events have most reduced the proportion of children. From Table III the returns for Habana province may be further analyzed into those for the city of Habana and those for the rest of the district. In Habana city the population

under 5 was 7.5 per cent of the total, while in the rest of the district it was only 7.3 per cent.

Turning to the other end of life, the proportion of persons over 45 in Cuba was also small. The per cent of the population belonging to this group was 14.2, while in the United States it was 17.2. But this relatively small number of elderly persons in Cuba is not a new characteristic. Indeed, in 1861 the proportion was somewhat less. It probably results mainly from, and is an index of, unsanitary conditions, ignorance regarding care of the health, and poverty, all of which are widely prevalent among certain classes in the island. These causes cooperate to produce a short average duration of life and consequently a small proportion of elderly persons. But these causes, while probably the leading ones, have perhaps been reenforced by another, the depletion of the age class of over 45 among the foreign born through a current of emigrants returning to Spain, China, or elsewhere, after their work in Cuba is over. In the per cent of its population over 45, Cuba, with about one-third colored, holds an intermediate position between the white and the colored population of the United States, as appears from the following summary.

	Per cent of population, 45+.
United States, white.....	17.5
Cuba.....	14.2
United States, colored.....	13.3

The percentages of the population in Cuba, 18 to 20 and 21 to 44, were about the same as in the United States. But, as the proportions of young and of old were both decidedly less than in the United States, this difference must be counterbalanced somewhere, and over four-fifths of it is found in the age group 5 to 17. In Cuba these persons of school age were 35.2 per cent of the entire population, while in the United States they were only 29.6 per cent. In other words, a population which in the United States would include 100 children of school age would include in Cuba 119 such children. These children represent the survivors of those born in Cuba between 1882 and 1894, together with a negligible number of immigrants.

The figures in Table III enable one to study the per cent of children of school age by provinces with the following result:

Province.	Per cent of population, 5 to 17.	Province.	Per cent of population, 5 to 17.
Santiago.....	40.2	Habana (excluding Habana city).....	34.3
Puerto Principe.....	38.7	Matanzas.....	33.3
Pinar del Rio.....	37.4	Habana.....	30.1
Santa Clara.....	35.6	Habana city.....	25.6



The per cent of children of school age varied from one-fourth to two-fifths, being at its lowest point in the capital city and at its highest in the eastern half of the island.

#### CITIZENSHIP.

Of the population of Cuba 89 per cent were born in the island, 8 per cent in Spain, and only 3 per cent in other countries. Those born in Cuba, of course, included not only native whites, but negroes and mixed. The proportion was greatest in the province of Santiago, where it reached 95 per cent, and was least in the city of Habana, where only a little over three-fourths of the inhabitants were native born. Three-fourths of the foreign born were of Spanish birth. The proportion of those born in Spain was naturally greatest in the city of Habana, where it reached nearly 20 per cent of all the inhabitants, and was least in the province of Santiago.

In the matter of citizenship, 83 per cent of the population claimed Cuban citizenship, only 1 per cent the protection of Spain, while 11 per cent were, at the time of the census, in suspense, not having declared their intentions. Five per cent of the population claimed citizenship other than Cuban or Spanish. The purest Cuban citizenship was found in the province of Santiago, where 91.7 per cent of the inhabitants claimed to be citizens of Cuba. On the other hand, in the city of Habana only 64.2 per cent were Cuban citizens. It is interesting to note that in the city of Habana only 5.3 per cent of the inhabitants claimed citizenship other than Cuban or Spanish, while in the province of Habana 11.6 per cent were found in this class.

#### CONJUGAL CONDITION.

Reference to Tables I and III shows that more than seventy (70.5) per cent of the population of Cuba were reported by the present census as single, while in Spain at the census of 1887 the per cent was 54.6, and in the United States in 1890 it was less than sixty (59.3). No countries in Europe, and few elsewhere, have so large a proportion of single. But the per cent reported in Cuba by the census of 1861 was much higher, 80 for the whole population and 90 for the colored alone. The other West India Islands also have a very high proportion of single. Examples are Porto Rico (1887), 76 per cent; Jamaica (1891), 77.5 per cent; Trinidad (1891), 82.1 per cent; Barbados (1891), 77 per cent.

The decrease in the per cent of single since 1861 is due mainly to the recognition in the present census of a class of persons living together as husband and wife by mutual consent. All such persons were classed in the census of 1861 as single, but the American law, where it has jurisdiction over similar relations, usually treats them as cases of lawful wedlock.

That the per cent of single varied but little between the six provinces is clearly shown by the following table:

Province.	Per cent single in total population.	Province.	Per cent single in total population.
Pinar del Rio.....	71.9	Santa Clara.....	70.9
Santiago.....	71.9	Puerto Principe.....	70.7
Matanzas.....	71.1	Habana.....	68.2

The only obvious inference from the foregoing is that there was a noticeable difference between Habana and the other five provinces, the per cent of single in Habana being decidedly smaller than elsewhere. But as the per cent of persons under 17 in Habana was also small, it does not yet appear whether the per cent of single among those of marriageable age in that province was smaller than elsewhere.

The number of persons in Cuba who were either married or cohabiting as husband and wife is rather less than one-fourth (24.1 per cent) of the total population. In the United States, as a whole, it was 35.7 per cent, and in the division of the United States with the lowest figures, Arizona, it was 30.7. No European country has so small a proportion of married as Cuba. The six provinces differed by only 2.2 per cent from the lowest, Pinar del Rio (22.9 per cent married), to the highest, Habana (25 per cent married).

Passing to an examination of the separate returns for the married and the unions not sanctioned by Cuban law, it appears that in general where one was more common the other was less common. This will be seen on an examination of the following table:

Province.	Per cent of population married.	Per cent of population living, together by mutual consent.	Total.
Puerto Principe.....	19.6	3.9	23.5
Habana.....	18.3	6.8	25.1
Santa Clara.....	16.0	7.5	23.5
Pinar del Rio.....	15.7	7.2	22.9
Matanzas.....	13.4	10.4	23.8
Santiago de Cuba.....	12.3	12.1	24.4

Where marriage was less frequent cohabitation by mutual consent was more frequent, and the differences between the total amount of the two modes of life in the several provinces, as shown in the last column, were far less than the differences between the provinces in respect to either, as shown in the other two columns.

The explanation usually given for this large number of people living

together as man and wife without being lawfully married is the high fees heretofore charged for canonical marriages, the only kind permitted to Roman Catholics, and the difficulty of complying with the provisions of the Spanish civil and ecclesiastical codes.

#### SCHOOL ATTENDANCE AND EDUCATION.

That the children between 5 and 17 were much more numerous in Cuba than in the United States has already been mentioned; but when these "schoolable" children are compared with those who actually attended school at any time during the year preceding the census, as may be done by combining figures of Table I, the following result is obtained:

Cuba:

Children 5 to 17 years old.....	552, 928
Persons who attended school.....	90, 072
Per cent who attended school .....	16.3

About one-sixth of all the children in Cuba between 5 and 17 attended school during 1899. By combining the figures in Tables III and V, the same method has been applied to the several provinces and the city of Habana with the following results:

Division of Cuba.	Number of children 5 to 17.	Number who attended school.	Per cent who attended school.	Per cent urban.
Habana city .....	62, 883	20, 673	33.0	100.0
Habana Province .....	127, 689	30, 873	24.2	65.4
Matanzas Province .....	67, 469	15, 459	23.0	28.8
Habana Province, excluding Habana city.....	64, 856	10, 200	15.7	22.1
Santa Clara .....	127, 069	20, 301	16.0	22.5
Puerto Principe.....	34, 137	4, 398	12.9	28.4
Santiago de Cuba .....	131, 888	14, 258	10.8	17.5
Pinar del Rio .....	64, 656	4, 783	7.4	5.1

The last column, introduced from Bulletin No. 1, page 12, shows that the per cent of children who attended school varies quite uniformly with the per cent of urban population, and suggests that the school system of Cuba is far more adequate in cities than in rural districts. In Table V the population is divided into two classes—those over 10 and those under 10. It is assumed that ordinarily persons who learn to read and write do so before they reach the age of 10. There are 1,215,810 persons over 10 in Cuba, and of these probably rather more than two-fifths, i. e., those reported literate plus those who attended school during the year, 43.3 per cent, could read, and rather less than three-fifths (56.7 per cent) could not.

This division of the population into those above 10 and those below 10, while regularly made in the American census, is lacking in Spanish census returns, which reported simply the illiterates, regardless of age.

In order to compare the returns of this census with earlier ones it is necessary to estimate how many under 10 in 1899 were unable to read. A rough approximation may be found by assuming that all under 10 who did not attend school during the year 1898-99 could not read. On this assumption the total number of illiterates of all ages was 1,004,884 (i. e., 688,555 + 316,329). In the following table this estimate is compared with the figures for two recent censuses of Cuba (the only ones available which give illiteracy figures):

Date of census.	Total population.	Number unable to read.	Per cent unable to read.
1861.....	1,396,530	1,128,293	81.0
1887.....	1,631,687	1,179,357	72.3
1899.....	1,572,797	(?) 1,004,884	63.9

In thirty-eight years the illiterates in Cuba decreased from over four-fifths to about two-thirds of the total population. Table V makes it possible to give the figures for illiteracy among persons over 10 by provinces, and here, too, the percentages of urban population have been introduced:

Province.	Per cent of illiterates among persons over 10.	Per cent of urban population (8,000+) in province.
Habana.....	38.7	65.4
Puerto Principe.....	50.9	28.4
Matanzas.....	59.8	28.8
Santa Clara.....	61.3	22.5
Santiago.....	65.8	17.5
Pinar del Rio.....	76.2	5.1

A similar inference to one already made may be drawn from these figures, that illiteracy is especially prevalent in the rural communities of Cuba.

TABLE I.—*Summary for the entire island.*

RACE, NATIVITY, AND SEX.

Total population .....	1,572,797	Colored.....	520,300
Male.....	815,205	Negro.....	234,638
Female.....	757,592	Male.....	111,898
Native white.....	910,299	Female.....	122,740
Male.....	447,378	Mixed.....	270,805
Female.....	462,926	Male.....	125,500
Foreign white.....	142,198	Female.....	145,305
Male.....	115,740	Chinese.....	14,857
Female.....	26,458	Male.....	14,694
		Female.....	168

## CENSUS OF CUBA.

13

## AGE AND SEX.

Under 5 years of age.....	130,878	Male.....	54,427
Male.....	65,904	Female.....	57,148
Female.....	64,974	21 to 44.....	558,922
5 to 17 years.....	552,928	Male.....	297,765
Male.....	276,881	Female.....	256,157
Female.....	276,047	45 years and over.....	223,494
18 to 20 years.....	111,575	Male.....	120,228
		Female.....	108,266

## CONJUGAL CONDITION.

Single.....	1,108,709	Living together.....	181,787
Married.....	246,351	Widowed.....	85,112

## BIRTHPLACE.

Cuba.....	1,400,262	Other countries.....	43,207
Spain.....	129,240		

## CITIZENSHIP.

Cuban.....	1,236,367	In suspense.....	175,811
Spanish.....	20,478	Other citizenship.....	79,525

## SCHOOL ATTENDANCE, ILLITERACY, AND SUPERIOR EDUCATION.

Under 10 years of age.....	856,987
Attended school.....	40,658
10 years of age and over.....	1,215,810
Attended school.....	49,414
Can neither read nor write.....	688,556
Have superior education.....	19,156

TABLE II.—Sex, general nativity, and color, by provinces.

	Habana.	Habana city.	Matanzas.	Pinar del Río.	Puerto Principe.	Santa Clara.	Santiago.
Total population.....	424,804	235,981	202,444	178,064	88,234	356,536	327,715
Males.....	221,990	123,258	108,726	91,688	44,899	189,067	163,845
Females.....	202,814	112,723	98,718	81,876	48,335	167,479	163,870
Native white.....	243,619	115,582	102,682	114,907	66,349	214,945	167,797
Males.....	116,888	52,940	50,324	58,573	32,575	106,771	82,292
Females.....	126,781	62,592	52,358	56,384	33,774	108,174	85,506
Foreign white.....	68,971	52,901	15,235	10,718	4,038	29,823	18,413
Males.....	54,162	41,190	11,850	9,447	3,499	25,336	11,446
Females.....	14,809	11,711	3,385	1,271	589	4,487	1,967
Negro.....	54,849	28,750	47,798	28,811	6,975	48,524	47,686
Males.....	23,892	11,212	22,389	14,496	3,590	24,717	22,815
Females.....	30,957	17,538	25,404	14,816	3,385	23,807	24,871
Mixed.....	53,479	36,004	32,528	18,025	10,400	58,050	98,323
Males.....	23,293	15,179	14,964	8,598	4,773	27,061	46,811
Females.....	30,186	20,825	17,564	9,427	5,627	30,989	51,512
Chinese.....	3,886	2,794	4,206	608	472	5,194	496
Males.....	3,806	2,787	4,199	575	462	5,172	481
Females.....	81	57	7	28	10	22	15



# CENSUS OF CUBA,

TAKEN UNDER

THE DIRECTION OF THE WAR DEPARTMENT, U. S. A.

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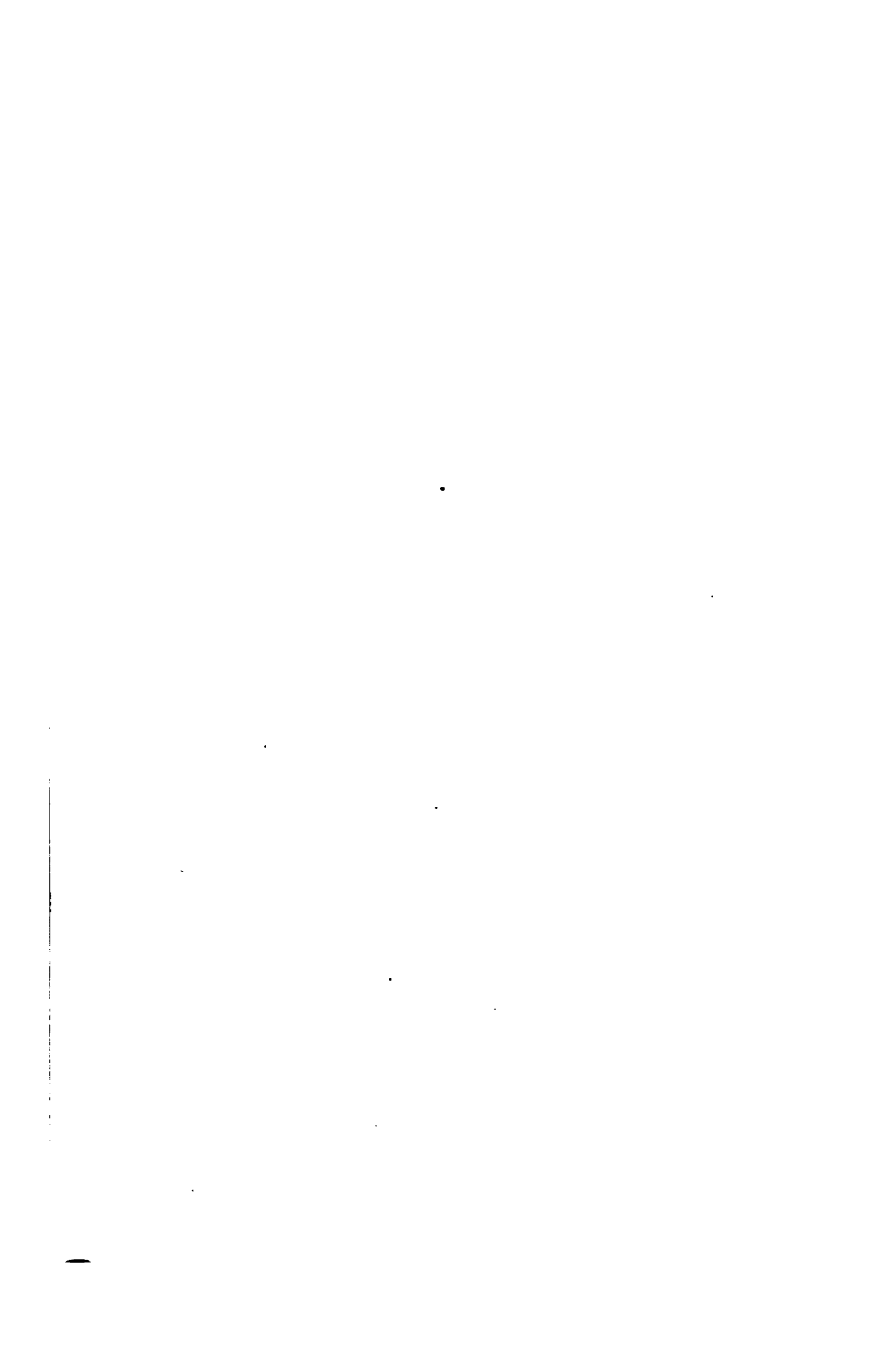
BULLETIN NO. III.

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CITIZENSHIP, LITERACY, AND EDUCATION.

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WASHINGTON:  
GOVERNMENT PRINTING OFFICE.  
1900.





WAR DEPARTMENT,  
CUBAN CENSUS, OFFICE OF THE DIRECTOR,  
*Washington, May 12, 1900.*

SIR: I have the honor to submit herewith bulletin No. III of the Census of Cuba, which presents the male population, 21 years of age and over, in respect to citizenship, literacy, and education.

Very respectfully,

J. P. SANGER, *Ins. Genl.*,  
*Director, Census of Cuba.*

Hon. ELIHU ROOT,  
*Secretary of War, Washington, D. C.*



## CENSUS OF CUBA.

This bulletin presents the male population of Cuba 21 years of age and over, classified according to race, nationality, citizenship, literacy, and superior education. The immediate object in preparing these tables was to ascertain the effect of certain provisions of the election laws proposed and recently promulgated by the military governor of Cuba on the male population of voting age. These provisions limit the suffrage to such of the citizens of Cuba as are able to read and write.

The males over 21 years of age are classified primarily, as whites born in Cuba, in Spain, or in other countries, or as colored, the last class including blacks, mixed, and Chinese. Each of these classes is then grouped according to citizenship, as Cuban citizenship; Spanish citizenship; citizenship in suspense, i. e., of Spanish subjects who at the date of the census had not decided whether to remain Spanish subjects or to become Cuban citizens; or as other foreign or unknown citizenship. Again, each of these classes is further divided, as to literacy, under the following heads:

Can neither read nor write.

Can read but can not write.

Can read and write.

Have superior education.

The population of the island, as a whole, is classified as above outlined in the first table, and in succeeding tables the population of each province and of the city of Habana are similarly classified.

### TOTAL OF THE ISLAND.

*Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total of voting age.....	417,993	187,813	96,068	6,794	127,298
Cuban citizens .....	290,905	184,471	142	78	106,214
Can neither read nor write.....	172,627	94,301	34	13	78,279
Can read but can not write .....	4,132	2,089		1	2,042
Can read and write .....	105,285	79,452	99	39	25,695
With superior education .....	8,861	8,629	9	25	198

*Citizenship, literacy, and education—Continued.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Spanish citizens .....	9,500	144	9,341	6	9
Can neither read nor write .....	1,149	18	1,126	1	4
Can read but can not write .....	108	2	106		
Can read and write .....	7,929	105	7,816	3	5
With superior education .....	314	19	293	2	
Citizens in suspense .....	76,669	1,296	75,249	37	87
Can neither read nor write .....	16,945	312	16,590	7	36
Can read but can not write .....	858	18	837	1	2
Can read and write .....	56,704	861	55,771	24	48
With superior education .....	2,162	105	2,051	5	1
Foreign and unknown citizens .....	40,919	1,902	11,356	6,678	20,988
Can neither read nor write .....	26,641	191	7,434	872	18,144
Can read but can not write .....	298	8	153	34	96
Can read and write .....	11,914	1,152	3,682	4,377	2,708
With superior education .....	2,071	551	87	1,390	43

The total number of males of voting age in Cuba was 417,993, or 26 per cent of the total population. This is a little less than the proportion, in 1890, in the United States, where it was 27 per cent. The excess of males of all ages in Cuba, as shown in Bulletin II, is somewhat greater than in the United States.

Classifying the potential voters of Cuba by birthplace and race, it is seen that 44.9 per cent were whites, born in Cuba; that 30.5 per cent were colored, and as nearly all the colored were born in the island it is seen that fully seven-tenths of the potential voters of Cuba were native born, 23 per cent were born in Spain, and 1.6 per cent in other countries.

Classifying the whole number of potential voters by citizenship it is seen from the following table that 70 per cent were Cuban citizens, 2 per cent were Spanish citizens, 18 per cent were holding their citizenship in suspense, and 10 per cent were citizens of other countries, or their citizenship was unknown.

*Citizenship of males 21 years of age and over in Cuba.*

Citizenship.	Number.	Per cent of total males 21 years of age and over.
Cuban .....	290,905	70
Spanish .....	9,500	2
In suspense .....	76,669	18
Foreign or unknown .....	40,919	10
Total .....	417,993	100

The degree of illiteracy of these classes was as follows :

Citizenship.	Unable to read.	Citizenship.	Unable to read.
	Per cent.		Per cent.
Cuban .....	59	In suspense .....	22
Spanish .....	12	Foreign or unknown .....	65

The Cuban citizens, numbering 290,905, were composed almost entirely of persons born in Cuba, there being among them but 220 white persons, and probably not more colored, of alien birth. The white Cuban citizens, who were natives of the island, numbered 184,471, and of these 94,301, or 51 per cent, were unable to read. The colored Cuban citizens numbered 106,214, of which not less than 78,279, or 74 per cent, were unable to read.

The people of Cuba who claimed Spanish citizenship numbered 9,500, and of these nearly all were born in Spain, there being but 159 born elsewhere.

Those whose citizenship was in suspense numbered 76,669. These also were nearly all of Spanish birth, the number born elsewhere being but 1,420.

The number of persons of other or unknown citizenship was 40,919. Of these fully one-half were colored, most of them being Chinese, and much the larger proportion of the remaining half were of Spanish birth.

Summing up the situation, it appears that the total number of males of voting age who could read was 200,631, a little less than half the total number of males of voting age. Of these 22,629 were of Spanish or other foreign citizenship or unknown citizenship. The number whose citizenship was in suspense was 59,724, and the number of Cuban citizens able to read was 118,278, or 59 per cent of all Cuban citizens of voting age.

### HABANA (PROVINCE).

*Citizenship, literary, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total of voting age .....	127, 047	52, 621	43, 273	3, 499	27, 654
Cuban citizens .....	73, 939	51, 153	36	45	22, 705
Can neither read nor write .....	30, 345	16, 896	4	2	13, 441
Can read but can not write .....	1, 528	688		1	839
Can read and write .....	37, 669	29, 255	30	28	8, 356
With superior education .....	4, 397	4, 312	2	14	69

*Citizenship, literacy, and education—Continued.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Spanish citizens .....	4,718	49	4,661	5	8
Can neither read nor write.....	380	4	374	1	1
Can read but can not write.....	52		52		
Can read and write.....	4,137	37	4,095	3	2
With superior education .....	149	8	140	1	
Citizens in suspense.....	39,207	678	38,471	21	37
Can neither read nor write.....	6,442	129	6,300	2	11
Can read but can not write.....	491	9	479	1	2
Can read and write.....	31,174	469	30,699	13	23
With superior education .....	1,100	71	1,023	5	1
Foreign and unknown citizens.....	9,183	741	105	3,428	4,909
Can neither read nor write.....	4,188	11	8	248	3,921
Can read but can not write.....	57	1		15	41
Can read and write.....	4,120	507	88	2,588	987
With superior education .....	818	222	9	577	10

**HABANA CITY.**

*Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total of voting age.....	75,805	23,790	32,779	2,787	15,949
Cuban citizens .....	35,460	22,729	23	37	12,671
Can neither read nor write.....	8,304	2,565	1	2	5,736
Can read but can not write.....	975	845			630
Can read and write.....	22,790	16,507	20	23	6,240
With superior education .....	3,391	3,312	2	12	65
Spanish citizens .....	4,136	39	4,089	5	8
Can neither read nor write.....	327	1	324	1	1
Can read but can not write.....	52		52		
Can read and write.....	3,623	30	3,588	3	2
With superior education .....	134	8	125	1	
Citizens in suspense .....	29,079	450	28,589	15	25
Can neither read nor write.....	3,215	37	3,170	1	7
Can read but can not write .....	389	5	381	1	2
Can read and write.....	24,581	347	24,211	8	15
With superior education .....	894	61	827	5	1
Foreign and unknown citizens.....	6,630	572	78	2,780	3,250
Can neither read nor write.....	2,623	8	6	189	2,470
Can read but can not write.....	48	1		11	36
Can read and write.....	3,258	386	64	2,067	736
With superior education .....	706	177	8	513	8

Of the greater subdivisions of the island of Cuba, Habana City contains the largest proportion of foreign born, both as to total of population and of males over 21 years of age. The total number of potential voters in the city was 75,305, or 32 per cent of its entire population, a very large proportion, both as compared with the entire island and with the United States.

This number of potential voters was composed, first, of whites born in Cuba, numbering 23,790, or 32 per cent of all. Of this number, 22,729, or 96 per cent, were Cuban citizens. The remainder, 1,061, were almost all in suspense as to citizenship, or were citizens of countries other than Cuba or Spain. Only 39 native white Cubans were Spanish citizens.

Second, of white persons born in Spain, who numbered no fewer than 32,779, or 44 per cent of all males of voting age, a much larger number and proportion than the Cuban whites. These natives of Spain comprised 4,089 citizens of Spain and 28,589 persons whose citizenship was in suspense. Only 23 persons of Spanish birth were Cuban citizens.

Third, of whites of other countries, numbering 2,787, or 4 per cent. Nearly all of these were citizens of other countries.

Fourth, colored, who numbered 15,959, or 21 per cent of the males of voting age. Of this number 12,671, or four-fifths, were Cuban citizens, the remainder consisting mainly of Chinese. As elsewhere in the island, Cuban citizens of Habana City were confined almost entirely to white or colored natives of Cuba. Their total number was 35,460, or 47 per cent, less than one-half of all males of voting age. The whites among them numbered 22,729, of whom only 2,565, or 11 per cent, were illiterate. The colored among them numbered 12,671, of whom 5,736, or 45 per cent, were illiterate. The total number of illiterates among the Cuban citizens of the city was 8,304, or 23 per cent, leaving as the total number of literate Cuban citizens of voting age 27,156.

The citizens of Spain in the city numbered 4,136, including 327 illiterates and 3,809 literates. The number of persons whose citizenship was in suspense numbered 29,079, composed of 3,215 illiterates and 25,864 literates. It is seen that in case all those who were in suspense as to citizenship should declare in favor of Cuban citizenship, they would still be outnumbered slightly by the native literate Cuban citizens of voting age. Those of foreign or unknown citizenship numbered 6,630, including 2,623 illiterates and 4,007 literates.

The literate Cuban citizens of voting age formed 45 per cent of all literates of voting age.

## HABANA PROVINCE (EXCLUDING CITY).

*Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored
Total of voting age.....	51,742	28,881	10,494	712	11,705
Cuban citizens.....	38,479	28,424	13	8	10,034
Can neither read nor write.....	22,041	14,333	3		7,705
Can read, but can not write.....	558	343		1	204
Can read and write.....	14,879	12,748	10	5	2,116
With superior education.....	1,006	1,000		2	4
Spanish citizens.....	582	10	572		
Can neither read nor write.....	53	3	50		
Can read, but can not write.....					
Can read and write.....	514	7	507		
With superior education.....	15		15		
Citizens in suspense.....	10,128	228	9,882	6	12
Can neither read nor write.....	3,227	92	3,130	1	4
Can read, but can not write.....	102	4	98		
Can read and write.....	6,568	122	6,458	5	8
With superior education.....	206	10	196		
Foreign and unknown citizens.....	2,553	169	27	698	1,659
Can neither read nor write.....	1,565	3	2	109	1,451
Can read, but can not write.....	9			4	5
Can read and write.....	867	121	24	521	201
With superior education.....	112	45	1	64	2

The total number of males of voting age was 51,742, forming 27 per cent of the population.

This number was composed, first, of 28,881 whites of Cuban birth, constituting 56 per cent of all males of voting age. All of these were Cuban citizens, with the exception of 407, most of whom were in suspense as to citizenship.

Second, of 10,494 persons born in Spain, forming 20 per cent of all males of voting age. These included 572 citizens of Spain and 9,882 persons whose citizenship was in suspense. Only 13 out of this number of persons of Spanish birth were Cuban citizens.

Third, 712 persons born in other countries than Spain and Cuba, or of unknown nativity.

Fourth, of 11,705 colored persons. These included 10,034 Cuban citizens, the remainder being mainly Chinese.

The total number of Cuban citizens in the province, outside of Habana City, was 38,479, or 74 per cent of all persons of voting age. With the exception of 13 persons of Spanish birth and 8 born in other countries this body of Cuban citizens was composed of whites and of colored persons born in Cuba. The white citizens of Cuba numbered 28,424, 14,333 or about 50 per cent of whom were illiterates. The



total number of illiterate Cuban voters of the province, outside of the city, was therefore 22,041, or 57 per cent, leaving as the number of literate voters, 16,438. The total number of literate males of voting age was 24,856, of which Cubans formed 66 per cent.

### MATANZAS.

*Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total of voting age.....	55,595	21,320	10,217	665	23,393
Cuban citizens.....	37,544	20,843	17	11	16,673
Can neither read nor write.....	23,983	10,062	2	4	13,915
Can read, but can not write.....	543	281			262
Can read and write.....	11,933	9,432	10	4	2,487
With superior education.....	1,065	1,068	5	3	9
Spanish citizens.....	1,033	16	1,016		1
Can neither read nor write.....	112		112		
Can read, but can not write.....	16	1	15		
Can read and write.....	865	11	853		1
With superior education.....	40	4	36		
Citizens in suspense.....	5,798	91	5,705	1	1
Can neither read nor write.....	749	6	741	1	1
Can read, but can not write.....	62	2	60		
Can read and write.....	4,732	77	4,655		
With superior education.....	255	6	249		
Foreign and unknown citizens.....	11,220	370	3,479	653	6,718
Can neither read nor write.....	8,677	88	2,279	132	6,178
Can read, but can not write.....	77	2	56	1	18
Can read and write.....	2,185	201	1,108	365	521
With superior education.....	271	79	36	155	1

The total number of males over 21 years of age is 55,595, or 27.5 per cent of the total population of the province. This total number of potential voters is composed, first, of 21,320 whites born in Cuba, of whom all except 477 are Cuban citizens; second, 10,217 whites born in Spain, of whom only a trifling number were Cuban citizens; 1,016, or about 10 per cent, were Spanish citizens; 5,705, or more than one-half, were in suspense as to citizenship, and 3,479, or about one-third, were citizens of other countries, or their citizenship was unknown; third, of 665 whites born in other countries, and fourth, of 23,393 colored, including blacks, mixed, and Chinese. Of these 16,673 were Cuban citizens, and 6,718 were citizens of foreign countries, or their citizenship was unknown. The last number, of course, includes Chinese.

Of the above number of potential voters of the province, namely, 55,595, citizens of Cuba numbered altogether 37,544, or 68 per cent of the total number; Spanish citizens numbered 1,033, or 2 per cent;

those whose citizenship was in suspense numbered 5,798, or 10 per cent, while the citizens of other countries and those whose citizenship was unknown numbered 11,220, or 20 per cent of the total number.

The number of Cuban citizens above given, namely, 37,544, was composed of 20,843 native white persons of Cuban birth, forming 55 per cent of the whole number; of 16,673 colored persons, forming 44 per cent, and the trifling remainder were born in Spain or other countries.

Of the native white Cuban citizens above mentioned 10,062, or 48 per cent, were unable to read, and of the colored Cuban citizens 13,915, or 83 per cent, were similarly illiterate. Of the total number of Cuban citizens in this province 64 per cent were unable to read. The total number of Cuban citizens able to read was 13,561, out of a total of all citizens able to read of 22,074, or 61 per cent.

### PINAR DEL RIO.

#### *Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total of voting age.....	43,750	24,324	8,242	308	10,576
Cuban citizens.....	33,479	24,104	6		9,369
Can neither read nor write.....	25,424	17,118	1		8,305
Can read, but can not write.....	234	163			71
Can read and write.....	7,415	6,422	5		988
With superior education.....	406	401			5
Spanish citizens.....	662	16	646		
Can neither read nor write.....	54	3	51		
Can read, but can not write.....	5		5		
Can read and write.....	593	13	580		
With superior education.....	10		10		
Citizens in suspense.....	7,755	171	7,577	1	6
Can neither read nor write.....	3,140	91	3,048		1
Can read, but can not write.....	56	1	55		
Can read and write.....	4,439	76	4,367	1	5
With superior education.....	120	3	117		
Foreign and unknown citizens.....	1,854	33	13	807	1,001
Can neither read nor write.....	1,553	4	1	105	1,443
Can read, but can not write.....	10			9	1
Can read and write.....	260	22	11	170	87
With superior education.....	31	7	1	23	

The total number of males 21 years of age and over of this province was 43,750, amounting to 25 per cent of the total population. This number was composed, first, of 24,324 whites, born in Cuba, of whom all excepting 220 were Cuban citizens; second, of 8,242 whites of Spanish birth, of whom only a trifling number were Cuban citizens,

46 were citizens of Spain, while the citizenship of 7,577 was in suspense; third, of 308 whites born in other countries than in Cuba or Spain, and, fourth, 10,876 colored, including black, mixed, and Chinese. Of these 9,369 were Cuban citizens, while 1,507 were citizens of other countries or of unknown citizenship.

Of the total number of males, 21 years of age and over, in this province, 77 per cent were Cuban citizens, leaving 23 per cent citizens of other countries. This body of Cuban citizens is made up almost entirely of whites and colored persons who were born in Cuba, the number of persons of Spanish birth or other foreign birth being trifling. Of the whites born in Cuba who were Cuban citizens not less than 71 per cent were reported as unable to read, while of the colored citizens no less than 89 per cent were unable to read, and of the total number of Cuban citizens in the province 76 per cent, or more than three-fourths, were illiterate. It is because of the high percentage of illiteracy in this province that it has been called the "dark province" of Cuba.

The total number of males of 21 years of age and over who were able to read was 13,579. Of this number 8,055, or 59 per cent, were Cuban citizens.

### PUERTO PRINCIPE.

#### *Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total of voting age.....	20, 181	12, 518	2, 982	261	4, 420
Cuban citizens .....	15, 759	12, 361	4	2	3, 392
Can neither read nor write.....	7, 810	6, 087	1		1, 772
Can read, but can not write.....	318	214			104
Can read and write.....	6, 972	5, 475	2	1	1, 494
With superior education .....	659	635	1	1	22
Spanish citizens .....	446	25	420		1
Can neither read nor write.....	224	9	214		1
Can read, but can not write.....	10		10		
Can read and write.....	189	13	176		
With superior education .....	23	3	20		
Citizens in suspense.....	2, 605	56	2, 547		2
Can neither read nor write.....	783	10	773		
Can read, but can not write.....	43		43		
Can read and write.....	1, 607	40	1, 565		2
With superior education .....	172	6	166		
Foreign and unknown citizens.....	1, 371	76	11	259	1, 025
Can neither read nor write.....	904	5	8	14	877
Can read, but can not write.....	12	1		1	10
Can read and write.....	281	24	1	119	187
With superior education .....	174	46	2	125	1

This, the smallest province of the island in point of population contained but 20,181 males 21 years of age and over, being 23 per cent of the population of the province. It was composed, first, of 12,518 whites born in Cuba, of which number all but 157 were Cuban citizens; second, of 2,982 whites born in Spain, 420 of whom were citizens of Spain, and the citizenship of 2,547 was in suspense; third, of 261 whites born in other countries, and, fourth, of 4,420 colored, including negro, mixed, and Chinese. Of these 1,025 were of foreign or unknown citizenship, while 3,392 were citizens of Cuba.

Of the total number of males 21 years of age and over, 15,759, or 78 per cent, were Cuban citizens. This number was made up almost entirely of native white and colored Cubans, the number of persons born in Spain or in other countries being trifling. Of the native white Cuban citizens, 49 per cent, or nearly one-half, were illiterate, and of the colored citizens, 52 per cent, or a little more than one-half. About one-half therefore of the Cuban citizens, taken as a whole, were unable to read.

Of the total number of males of voting age 10,460, or 52 per cent, were able to read. The Cuban citizens able to read numbered 7,949, or 76 per cent of all literate males of voting age.

#### SANTA CLARA.

##### *Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total of voting age .....	100,113	45,534	21,953	899	31,727
Cuban citizens .....	71,462	44,976	66	11	26,409
Can neither read nor write .....	46,084	25,118	22	6	20,938
Can read but can not write .....	915	520			395
Can read and write .....	23,475	18,374	43	4	5,054
With superior education .....	988	964	1	1	22
Spanish citizens .....	1,481	82	1,447	1	1
Can neither read nor write .....	88	2	86		
Can read but can not write .....	17	1	16		
Can read and write .....	1,390	25	1,304		1
With superior education .....	46	4	41	1	
Citizens in suspense .....	12,947	182	12,744	2	19
Can neither read nor write .....	8,043	41	2,992		10
Can read but can not write .....	117	4	113		
Can read and write .....	9,566	125	9,420	2	9
With superior education .....	281	12	219		
Foreign and unknown citizens .....	14,223	344	7,696	885	5,298
Can neither read nor write .....	10,304	73	5,113	262	4,856
Can read but can not write .....	123	3	95	6	19
Can read and write .....	3,567	210	2,455	472	420
With superior education .....	239	58	33	145	3

The total number of males 21 years of age and over in this province was 100,113, or 28 per cent of the total population. This total number was composed, first, of 45,534 whites of Cuban birth, all of whom, excepting 558, were citizens of Cuba; second, of 21,953 whites born in Spain, of whom 66 only were citizens of Cuba; 1,447 were citizens of Spain, and 7,696 were citizens of other countries, or their citizenship was unknown, while 12,744, or considerably more than half of the whites of Spanish birth, were "in suspense;" that is, they had not yet decided upon their future citizenship; third, of the total number 899 were born in other countries, and, as a rule, their citizenship followed the country of birth; and, fourth, of 31,727 colored persons, including black, mixed, and Chinese. Of these 26,409 were Cuban citizens and 5,298 were citizens of other or unknown countries, most of them being Chinese.

The total number of Cuban citizens in this province was 71,462, or 71 per cent of all persons 21 years of age and over; the citizens of Spain formed but 2 per cent of the total; those in suspense formed 13 per cent, and the citizens of other or unknown countries formed 14 per cent.

The above number of Cuban citizens was composed almost entirely of the two classes of white and colored of Cuban birth. There was a trifling number of persons of Spanish birth and of those born in other countries, who have claimed Cuban citizenship, but their number is too small to be worth consideration in this connection. The white Cuban citizens numbered 44,976, or 63 per cent of the total number of Cuban citizens. Of these 25,118, or 56 per cent, were unable to read. The number of colored Cuban citizens was 26,409, or 37 per cent of all, and of these not less than 20,938, or 79 per cent, were unable to read.

The total number of males of voting age who were able to read was 40,594, or 41 per cent of all males of voting age. The Cuban citizens able to read numbered 25,378, or 63 per cent of all able to read.

### SANTIAGO DE CUBA.

#### *Citizenship, literacy, and education.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Total voting age .....	71,307	31,496	9,421	1,162	29,228
Cuban citizens .....	58,722	31,034	13	9	27,666
Can neither read nor write.....	38,981	19,068	4	1	19,908
Can read but can not write .....	594	223			371
Can read and write .....	17,821	10,494	9	2	7,816
With superior education .....	1,326	1,249		6	71

*Citizenship, literacy, and education—Continued.*

	All classes.	Whites born in Cuba.	Whites born in Spain.	Whites born in other countries.	Colored.
Spanish citizens .....	1,160	6	1,151	.....	3
Can neither read nor write .....	291	.....	289	.....	2
Can read but can not write .....	8	.....	8	.....	.....
Can read and write .....	815	6	808	.....	1
With superior education .....	46	.....	46	.....	.....
Citizens in suspense .....	8,357	118	8,205	12	22
Can neither read nor write .....	2,788	35	2,736	4	13
Can read but can not write .....	89	2	87	.....	.....
Can read and write .....	5,196	74	5,106	8	9
With superior education .....	284	7	277	.....	.....
Foreign and unknown citizens .....	3,068	388	62	1,141	1,537
Can neither read nor write .....	1,015	10	25	111	869
Can read but can not write .....	14	1	2	2	9
Can read and write .....	1,501	188	19	663	631
With superior education .....	538	139	6	365	28

The total number of males 21 years of age and over in this province, was 71,307, or 22 per cent of the population of the province.

This number was composed—

First, of white persons born in Cuba, to the number of 31,496, or 44 per cent of all, nearly all of these being Cuban citizens;

Second, of whites of Spanish birth, numbering 9,421, or 13 per cent of all; of this number much the larger proportion were in suspense as to their future citizenship;

Third, whites born in other countries, to the number of 1,162, or 2 per cent of all; and,

Fourth, colored, including black, mixed, and Chinese, to the number of 29,228, which formed 41 per cent of the total number of voting age, most of whom were of Cuban birth and Cuban citizenship.

The total number of Cuban citizens was 58,722, or 82 per cent of all males over 21 years of age. This was composed of 31,056 whites and 27,666 colored. Of the total number of Cuban citizens 38,981, or 66 per cent, were unable to read; of the white Cuban citizens 61 per cent and of the colored Cuban citizens 72 per cent were illiterate.

Spanish citizens numbered 1,160, or 2 per cent of all. The illiterates among them numbered 291, forming 25 per cent. Those in suspense were mainly of Spanish birth, numbering 8,357, or 12 per cent of all males over 21 years of age. Among these the illiterates numbered 2,788, or 33 per cent. The number of persons who were citizens of other countries than Cuba or Spain, or whose citizenship was unknown, numbered 3,068, forming 4 per cent of all. Of these 1,015, or 33 per cent, were unable to read or write.

The total number of males of voting age who were able to read was 28,232, or 40 per cent of all males of voting age. Of these 19,741, or 70 per cent, were Cuban citizens.

The following table brings together the proportion which the males of voting age bear to the population in the several provinces and the city of Habana, the proportion being least in the province of Santiago and greatest in the city of Habana:

*Proportion of males of voting age to population.*

Province.	Per cent.	Province.	Per cent.
Santiago.....	22	Matanzas.....	27.5
Puerto Principe.....	23	Santa Clara.....	28
Pinar del Rio.....	25	Habana city.....	32
Habana, excluding city.....	27		

The following table brings together the proportion of the literate males of voting age who were born in Cuba to all literate males of voting age in the several provinces and the city of Habana. It is seen that this proportion is least in Habana city, where less than half the literate voters are of Cuban birth, and is greatest in Puerto Principe, where they constitute more than three-fourths.

*Proportion of literate males of voting age who were born in Cuba, to all literate males of voting age.*

Province.	Per cent.	Province.	Per cent.
Habana city.....	45	Habana, excluding city.....	66
Pinar del Rio.....	59	Santiago.....	70
Matanzas.....	61	Puerto Principe.....	76
Santa Clara.....	63		







# RULES OF PRACTICE

IN CASES BEFORE THE

## UNITED STATES DISTRICT LAND OFFICES,

THE

GENERAL LAND OFFICE,

AND THE

DEPARTMENT OF THE INTERIOR.

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REVISED EDITION.

APPROVED JANUARY 27, 1899.

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WASHINGTON:  
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DEPARTMENT OF THE INTERIOR,  
GENERAL LAND OFFICE,  
*Washington, D. C., January 10, 1899.*

SIR: I have the honor to submit herewith for your consideration, and approval if found satisfactory, a revised draft of the rules of practice in cases before the district land offices, the General Land Office, and the Department of the Interior.

It will be observed, upon examination, that no change or modification of the present rules has been made, but where rules have been amended from time to time such rules as last amended have been placed in their proper numerical order in the body of the rules of practice instead of in chronological order in an appendix, as has heretofore been the custom.

Very respectfully,

BINGER HERMANN,  
*Commissioner.*

The SECRETARY OF THE INTERIOR.

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DEPARTMENT OF THE INTERIOR,  
*Washington, January 27, 1899.*

SIR: I have examined the revised draft of the rules of practice in cases before the district land offices, the General Land Office, and the Department of the Interior, submitted with your inclosure of January 10, 1899, and return the same herewith duly approved.

Very respectfully,

THOS. RYAN, *Acting Secretary.*

The COMMISSIONER OF THE GENERAL LAND OFFICE.

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DEPARTMENT OF THE INTERIOR,  
*Washington, January 27, 1899.*

The following rules of practice for the government of proceedings in this Department and subordinate offices in land cases, together with regulations governing the recognition of agents, attorneys, and other persons to represent claimants, are hereby prescribed, to take effect this day.

None of said rules shall be construed to deprive the Secretary of the Interior of the exercise of the directory and supervisory powers conferred upon him by law.

Proceedings under former rules of practice will not be prejudiced by anything herein contained.

THOS. RYAN, *Acting Secretary.*



# TABLE OF CONTENTS.

	Page.
<b>RULES OF PRACTICE.....</b>	7-21
<b>I. PROCEEDINGS BEFORE REGISTERS AND RECEIVERS.....</b>	7-16
1. Initiation of contests.....	7
2. Hearings in contested cases.....	7
3. Notice of contest.....	7
4. Service of notice.....	8
5. Notice by publication.....	9
6. Proof of service of notice.....	9
7. Notice of interlocutory proceedings.....	9
8. Rehearings.....	10
9. Continuances.....	10
10. Depositions on interrogatories.....	10
11. Oral testimony before officers other than registers and receivers.....	12
12. Trials.....	12
13. Appeals.....	18
14. Reports and opinions.....	14
15. Taxation of costs.....	15
16. Appeals from decisions rejecting applications to enter public lands.....	16
<b>II. PROCEEDINGS BEFORE SURVEYORS-GENERAL.....</b>	16
<b>III. PROCEEDINGS BEFORE THE COMMISSIONER OF THE GEN-         ERAL LAND OFFICE AND THE SECRETARY OF THE IN-         TERIOR.....</b>	17-21
1. Examination and argument.....	17
2. Rehearing and review.....	17
3. Appeals from Commissioner to Secretary.....	18
4. Attorneys.....	20
5. Decisions.....	21
<b>REGULATIONS GOVERNING THE RECOGNITION OF AGENTS AND ATTORNEYS BEFORE DISTRICT LAND OFFICERS.....</b>	22-23
<b>LAWS AND REGULATIONS GOVERNING THE RECOGNITION OF AGENTS, ATTORNEYS, AND OTHER PERSONS TO REPRESENT CLAIMANTS BEFORE THE DEPARTMENT OF THE INTERIOR AND THE BUREAUS THEREOF.....</b>	24-26





# RULES OF PRACTICE

IN CASES BEFORE THE

## UNITED STATES DISTRICT LAND OFFICES,

THE

## GENERAL LAND OFFICE,

AND THE

## DEPARTMENT OF THE INTERIOR.

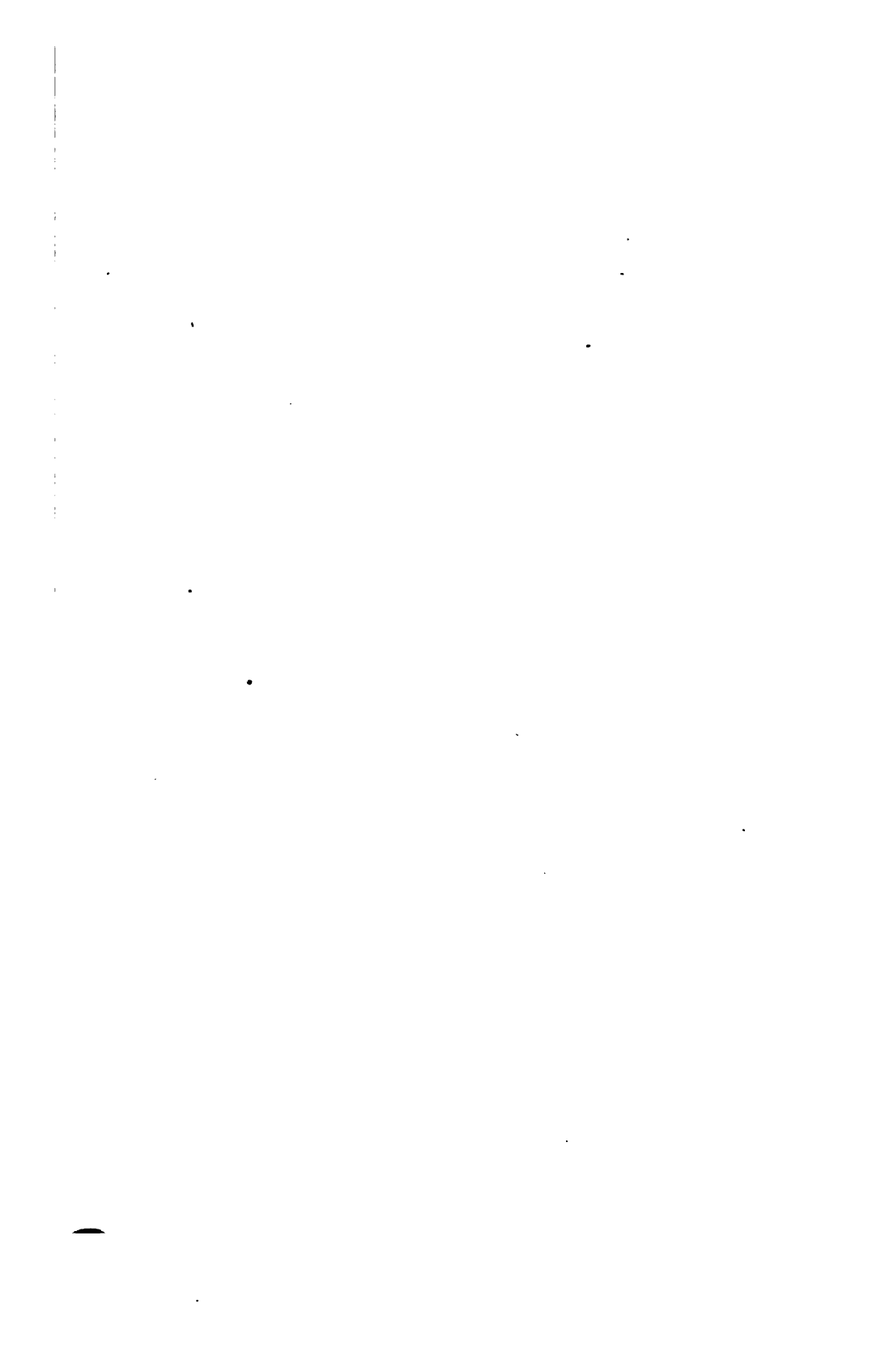
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## RULES OF PRACTICE.

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### I. .

#### PROCEEDINGS BEFORE REGISTERS AND RECEIVERS.

##### 1.—Initiation of contests.

**RULE 1.**—Contests may be initiated by an adverse party or other person against a party to any entry, filing, or other claim under laws of Congress relating to the public lands, for any sufficient cause affecting the legality or validity of the claim.

**RULE 2.**—In every case of application for a hearing an affidavit must be filed by the contestant with the register and receiver, fully setting forth the facts which constitute the grounds of contest. When the contest is against the heirs of a deceased entryman, the affidavit shall state the names of all the heirs. If the heirs are nonresident or unknown, the affidavit shall set forth the fact and be corroborated with respect thereto by the affidavit of one or more persons.

**RULE 3.**—Where an entry has been allowed and remains of record the affidavit of the contestant must be accompanied by the affidavits of one or more witnesses in support of the allegations made.

##### 2.—Hearings in contested cases.

**RULE 4.**—Registers and receivers may order hearings in all cases wherein entry has not been perfected and no certificate has been issued as a basis for patent.

**RULE 5.**—In case of an entry or location on which final certificate has been issued the hearing will be ordered only by direction of the Commissioner of the General Land Office.

**RULE 6.**—Applications for hearings under Rule 5 must be transmitted by the register and receiver, with special report and recommendation, to the Commissioner for his determination and instructions.

##### 3.—Notice of contest.

**RULE 7.**—At least thirty days' notice shall be given of all hearings before the register and receiver unless by written consent an earlier day shall be agreed upon.

**RULE 8.**—The notice of contest and hearing must conform to the following requirements:

1. It must be written or printed.
2. It must be signed by the register and receiver, or by one of them.
3. It must state the time and place of hearing.
4. It must describe the land involved.
5. It must state the register and receiver's number of the entry and the land office where and the date when made, and the name of the party making the same.
6. It must give the name of the contestant and briefly state the grounds and purpose of the contest.
7. It may contain any other information pertinent to the contest.

**4.—Service of notice.**

**RULE 9.**—Personal service shall be made in all cases when possible if the party to be served is resident in the State or Territory in which the land is situated, and shall consist in the delivery of a copy of the notice to each person to be served. When the contest is against the heirs of a deceased entryman, the notice shall be served on each heir. If the heirs of the entryman are nonresident or unknown, notice may be served upon them by publication as hereinafter provided. If the person to be personally served is an infant under fourteen years of age or a person who has been legally adjudged of unsound mind, service of notice shall be made by delivering a copy of the notice to the statutory guardian or committee of such infant or person of unsound mind, if there be one; if there be none, then by delivering a copy of the notice to the person having the infant or person of unsound mind in charge.

**RULE 10.**—Personal service may be executed by any officer or person.

**RULE 11.**—Notice may be given by publication only when it is shown by affidavit presented on behalf of the contestant and by such other evidence as the register and receiver may require that due diligence has been used and that personal service can not be made. The affidavit must also state the present post-office address of the person intended to be served, if it is known to the affiant, and must show what effort has been made to obtain personal service.

**RULE 12.**—When it is found that the prescribed service can not be had, either personal or by publication, in time for the hearing provided for in the notice, the notice may be returned prior to the time fixed for the hearing, and a new notice issued fixing another time of hearing, for the proper service thereof, an affidavit being filed by the contestant showing due diligence and inability to serve the notice in time.

**5.—Notice by publication.**

**RULE 13.**—Notice by publication shall be made by advertising the notice at least once a week for four successive weeks in some newspaper published in the county wherein the land in contest lies; and if no newspaper be published in such county, then in the newspaper published in the county nearest to such land. The first insertion shall be at least thirty days prior to the day fixed for the hearing.

**RULE 14.**—Where notice is given by publication a copy thereof shall, at least thirty days before the date for the hearing, be mailed, by registered letter, to each person to be so notified at the last address, if any, given by him as shown by the record, and to him at his present address named in the affidavit for publication required by Rule 11, if such present address is stated in such affidavit and is different from his record address. If there be no such record address and if no present address is named in the affidavit for publication, then a copy of the notice shall be so mailed to him at the post-office nearest to the land. A copy of the notice shall also be posted in the register's office for a period of at least thirty days before the date for the hearing and still another copy thereof shall be posted in a conspicuous place upon the land for at least two weeks prior to the date set for the hearing. When notice of proceedings commenced by the Government against timber and stone entries is given by publication the posting of notices upon the land will not be required.

**6.—Proof of service of notice.**

**RULE 15.**—Proof of personal service shall be the written acknowledgment of the person served or the affidavit of the person who served the notice attached thereto, stating the time, place, and manner of service.

**RULE 16.**—When service is by publication, the proof of service shall be a copy of the advertisement, with the affidavit of the publisher or foreman attached thereto, showing that the same was successively inserted the requisite number of times, and the date thereof.

**7.—Notice of interlocutory proceedings.**

**RULE 17.**—Notice of interlocutory motions, proceedings, orders, and decisions, shall be in writing and may be served personally or by registered letter mailed to the last address, if any, given by or on behalf of the party to be notified, as shown by the record, and if there be no such record address, then to the post-office nearest the land; and in all those contest cases where notice of contest is given by registered mail under Rule 14, and the return registry receipt shows such notice to have been received by the contestee, the address at which the notice was so received shall be considered as an address given by the contestee, within the meaning of this rule.

**RULE 18.**—Proof of service by mail shall be the affidavit of the person who mailed the notice, attached to the post-office receipt for the registered letter.

#### **8.—Rehearings.**

**RULE 19.**—Orders for rehearing must be brought to the notice of the parties in the same manner as in case of original proceedings.

#### **9.—Continuances.**

**RULE 20.**—A postponement of a hearing to a day to be fixed by the register and receiver may be allowed on the day of trial on account of the absence of material witnesses, when the party asking for the continuance makes an affidavit before the register and receiver showing—

1. That one or more of the witnesses in his behalf is absent without his procurement or consent;

2. The name and residence of each witness;

3. The facts to which they would testify if present;

4. The materiality of the evidence;

5. The exercise of proper diligence to procure the attendance of the absent witnesses; and

6. That affiant believes said witnesses can be had at the time to which it is sought to have the trial postponed.

Where hearings are ordered by the Commissioner of the General Land Office in cases to which the United States is a party, continuances will be granted in accordance with the usual practice in United States cases in the courts, without requiring an affidavit on the part of the Government.

**RULE 21.**—One continuance only shall be allowed to either party on account of absent witnesses, unless the party applying for a further continuance shall at the same time apply for an order to take the depositions of the alleged absent witnesses.

**RULE 22.**—No continuance shall be granted when the opposite party shall admit that the witnesses would, if present, testify to the statement set out in the application for continuance.

#### **10.—Depositions on interrogatories.**

**RULE 23.**—Testimony may be taken by deposition in the following cases:

1. Where the witness is unable, from age, infirmity, or sickness, or shall refuse, to attend the hearing at the local land office.

2. Where the witness resides more than fifty miles from the place of trial, computing distance by the usually traveled route.

3. Where the witness resides out of or is about to leave the State or Territory, or is absent therefrom.

4. Where from any cause it is apprehended that the witness may be unable or will refuse to attend, in which case the deposition will be

used only in event that the personal attendance of the witness can not be obtained.

**RULE 24.**—The party desiring to take a deposition under Rule 23 must comply with the following regulations:

1. He must make affidavit before the register or receiver, setting forth one or more of the above-named causes for taking such deposition, and that the witness is material.

2. He must file with the register and receiver the interrogatories to be propounded to the witness.

3. He must state the name and residence of the witness.

4. He must serve a copy of the interrogatories on the opposing party or his attorney.

**RULE 25.**—The opposing party will be allowed ten days in which to file cross-interrogatories.

**RULE 26.**—After the expiration of the ten days allowed for filing cross-interrogatories, a commission to take the deposition shall be issued by the register and receiver, which commission shall be accompanied by a copy of all the interrogatories filed.

**RULE 27.**—The register and receiver may designate any officer, authorized to administer oaths within the county or district where the witness resides, to take such deposition.

**RULE 28.**—It is the duty of the officer before whom the deposition is taken to cause the interrogatories appended to the commission to be written out and the answers thereto to be inserted immediately underneath the respective questions, and the whole, when completed, is to be read over to the witness, and must be by him subscribed and sworn to in the usual manner before the witness is discharged.

**RULE 29.**—The officer must attach his certificate to the deposition, stating that the same was subscribed and sworn to by the deponent at the time and place therein mentioned.

**RULE 30.**—The deposition and certificate, together with the commission and interrogatories, must then be sealed up, the title of the cause indorsed on the envelope, and the whole returned by mail or express to the register and receiver.

**RULE 31.**—Upon receipt of the package at the local land office, the date when the same is opened must be indorsed on the envelope and body of the deposition by the local land officers.

**RULE 32.**—If the officer designated to take the deposition has no official seal, a proper certificate of his official character, under seal, must accompany his return.

**RULE 33.**—The parties in any case may stipulate in writing to take depositions before any qualified officer, and in any manner.

**RULE 34.**—All stipulations by parties or counsel must be in writing, and be filed with the register and receiver.

**11.—Oral testimony before officers other than registers and receivers.**

**RULE 35.**—In the discretion of registers and receivers testimony may be taken near the land in controversy before a United States commissioner, or other officer authorized to administer oaths, at a time and place to be fixed by them and stated in the notice of hearing.

2. Officers taking testimony under the foregoing rule will be governed by the rules applicable to trials before registers and receivers. (See Rules 36 to 42, inclusive.)

3. Testimony so taken must be certified to, sealed up, and transmitted by mail or express to the register and receiver, and the receipt thereof at the local office noted on the papers, in the same manner as provided in case of depositions by Rules 29 to 32, inclusive.

4. On the day set for hearing at the local office the register and receiver will examine the testimony taken by the officer designated, and render a decision thereon in the same manner as if the testimony had been taken before themselves. (See Rules 50 to 53, inclusive.)

5. No charge for examining testimony in such cases will be made by the register and receiver.

6. Officers designated to take testimony under this rule will be allowed to charge such fees as are properly authorized by the tariff of fees existing in the local courts of their respective districts, to be taxed in the same or equivalent manner as costs are taxed by registers and receivers under Rules 54 to 58, inclusive.

7. When an officer designated to take testimony under this rule, or when an officer designated to take depositions under Rule 27, can not act on the day fixed for taking the testimony or deposition, the testimony or deposition, as the case may be, will be deemed properly taken before any other qualified officer, at the same place and time, who may be authorized by the officer originally designated, or by agreement of parties, to act in the place of the officer first named.

**12.—Trials.**

**RULE 36.**—Upon the trial of a cause, the register and receiver may in any case, and should in all cases when necessary, personally direct the examination of the witnesses, in order to draw from them all the facts within their knowledge requisite to a correct conclusion by the officers upon any point connected with the case.

**RULE 37.**—The register and receiver will be careful to reach, if possible, the exact condition and status of the land involved by any contest, and will ascertain all the facts having any bearing upon the rights of parties in interest.

**RULE 38.**—In preemption cases they will particularly ascertain the nature, extent, and value of alleged improvements; by whom made, and when; the true date of the settlement of persons claiming; the steps taken to mark and secure the claim, and the exact status of the land at that date as shown upon the records of their office.



**RULE 39.**—In like manner, under the homestead and other laws, the conditions affecting the inception of the alleged right, as well as the subsequent acts of the respective claimants, must be fully and specifically examined.

**RULE 40.**—Due opportunity will be allowed opposing claimants to confront and cross-examine the witnesses introduced by either party.

**RULE 41.**—No testimony will be excluded from the record by the register and receiver on the ground of any objection thereto; but when objection is made to testimony offered the exceptions will be noted, and the testimony, with the exceptions, will come up with the case for the consideration of the commissioner. Officers taking testimony will, however, summarily put a stop to obviously irrelevant questioning.

**RULE 42.**—Upon the day originally set for hearing, and upon any day to which the trial may be continued, the testimony of all the witnesses present shall be taken and reduced to writing. When testimony is taken in shorthand, the stenographer's notes must be written out and the written testimony then and there subscribed by the witness and attested by the officer before whom the same is taken.

### 13.—Appeals.

**RULE 43.**—Appeals from the final action or decisions of registers and receivers lie in every case to the Commissioner of the General Land Office. (Revised Statutes, sections 453, 2478.)

In cases dismissed for want of prosecution the register and receiver will by registered letter notify the parties in interest of the action taken, and that unless within thirty days a motion for reinstatement shall be made, the default of the plaintiff will be final, and that no appeal will be allowed; which notice shall be given as provided in circular of October 28, 1886 (5 L. D., 204).

If such motion for reinstatement be made within the time limited, the local officers shall take action thereon, and grant or deny it, as they deem proper. If granted, no appeal shall lie. If overruled, the plaintiff shall have the right of appeal, the time for which shall be thirty days, and run from the date of written notice to the plaintiff.

**RULE 44.**—After hearing in a contested case has been had and closed, the register and receiver will, in writing, notify the parties in interest of the conclusions to which they have arrived, and that thirty days are allowed for an appeal from their decision to the Commissioner, the notice to be served personally or by registered letter through the mail to their last known address.

**RULE 45.**—The appeal must be in writing or in print, and should set forth in brief and clear terms the specific points of exception to the ruling appealed from.

**RULE 46.**—Notice of appeal and copy of specification of errors shall be served on appellee within the time allowed for appeal, and appellee shall be allowed ten days for reply before transmittal of the record to the General Land Office.

**RULE 47.**—No appeal from the action or decisions of the register and receiver will be received at the General Land Office unless forwarded through the local officers.

**RULE 48.**—In case of a failure to appeal from the decision of the local officers, their decision will be considered final as to the facts in the case and will be disturbed by the Commissioner only as follows:

1. Where fraud or gross irregularity is suggested on the face of the papers.
2. Where the decision is contrary to existing laws or regulations.
3. In event of disagreeing decisions by the local officers.
4. Where it is not shown that the party against whom the decision was rendered was duly notified of the decision and of his right of appeal.

**RULE 49.**—In any of the foregoing cases the Commissioner will reverse or modify the decision of the local officers or remand the case, at his discretion.

**RULE 50.**—All documents once received by the local officers must be kept on file with the cases, and the date of filing must be noted thereon; and no papers will be allowed under any circumstances to be removed from the files or taken from the custody of the register and receiver, but access to the same, under proper rules, so as not to interfere with necessary public business, will be permitted to the parties in interest, or their attorneys, under the supervision of those officers.

#### 14.—Reports and opinions.

**RULE 51.**—Upon the termination of a contest, the register and receiver will render a joint report and opinion in the case, making full and specific reference to the postings and annotations upon their records.

**RULE 52.**—The register and receiver will promptly forward their report, together with the testimony and all the papers in the case, to the Commissioner of the General Land Office, with a brief letter of transmittal, describing the case by its title, the nature of the contest, and the tract involved.

**RULE 53.**—The local officers will thereafter take no further action affecting the disposal of the land in contest until instructed by the Commissioner.

In all cases, however, where a contest has been brought against any entry or filing on the public lands, and trial has taken place, the entryman may, if he so desires, in accordance with the provisions of the law under which he claims and the rules of the Department, submit final proof and complete the same, with the exception of the payment of the purchase money or commissions, as the case may be; said final proof will be retained in the local land office, and should the entry finally be adjudged valid, said final proof, if satisfactory, will be accepted upon the payment of the purchase money or commissions,

and final certificate will issue, without any further action on the part of the entryman, except the furnishing of a nonalienation affidavit by the entryman, or, in case of his death, by his legal representatives.

In such cases the party making the proof, at the time of submitting the same, will be required to pay the fees for reducing the testimony to writing.

15.—Taxation of costs.

**RULE 54.**—Parties contesting preemption, homestead, or timber-culture entries and claiming preference rights of entry under the second section of the act of May 14, 1880 (21 Stat., 140), must pay the costs of contest.

**RULE 55.**—In other contested cases each party must pay the costs of taking testimony upon his own direct and cross-examination.

**RULE 56.**—The accumulation of excessive costs under Rule 54 will not be permitted; but when the officer taking testimony shall rule that a course of examination is irrelevant and checks the same, under Rule 41, he may, nevertheless, in his discretion, allow the same to proceed at the sole cost of the party making such examination. This rule will apply also to cross-examination in contests covered by the provisions of Rule 55.

**RULE 57.**—Where parties contesting preemption, homestead, or timber-culture entries establish their right of entry under the preemption or homestead laws of the land in contest by virtue of actual settlement and improvement, without reference to the act of May 14, 1880, the cost of contest will be adjudged under Rule 55.

**RULE 58.**—Registers and receivers will apportion the cost of contest in accordance with the foregoing rules, and may require the party liable thereto to give security in advance of trial, by deposit or otherwise, in a reasonable sum or sums, for payment of the cost of transcribing the testimony.

**RULE 59.**—The cost of contest chargeable by registers and receivers are the legal fees for reducing testimony to writing. No other contest fees or costs will be allowed to or charged by those officers directly or indirectly.

**RULE 60.**—Contestants must give their own notices and pay the expenses thereof.

**RULE 61.**—Upon the termination of a trial, any excess in the sum deposited as security for the costs of transcribing the testimony will be returned to the proper party.

**RULE 62.**—When hearings are ordered by the Commissioner or by the Secretary of the Interior, upon the discovery of reasons for suspension in the usual course of examination of entries, the preliminary costs will be provided from the contingent fund for the expenses of local land offices.

**RULE 63.**—The preliminary costs provided for by the preceding section will be collected by the register and receiver when the parties are brought before them in obedience to the order of hearing.

**RULE 64.**—The register and receiver will then require proper provision to be made for such further notification as may become necessary in the usual progress of the case to final decision.

**RULE 65.**—The register and receiver will append to their report in each case a statement of costs and the amount actually paid by each of the contestants, and also a statement of the amount deposited to secure the payment of the costs, how said sum was apportioned, and the amount returned, if any, and to whom.

**16.—Appeals from decisions rejecting applications to enter public lands.**

**RULE 66.**—For the purpose of enabling appeals to be taken from the rulings or action of the local officers relative to applications to file upon, enter, or locate the public lands the following rules will be observed:

1. The register and receiver will indorse upon every rejected application the date when presented and their reasons for rejecting it.

2. They will promptly advise the party in interest of their action and of his right of appeal to the Commissioner.

3. They will note upon their records a memorandum of the transaction.

**RULE 67.**—The party aggrieved will be allowed thirty days from receipt of notice in which to file his appeal in the local land office. Where the notice is sent by mail, five days additional will be allowed for the transmission of notice and five for the return of the appeal.

**RULE 68.**—The register and receiver will promptly forward the appeal to the General Land Office, together with a full report upon the case.

**RULE 69.**—This report should recite all the facts and the proceedings had, and must embrace the following particulars:

1. A statement of the application and rejection, with the reasons for the rejection.

2. A description of the tract involved and a statement of its status, as shown by the records of the local land office.

3. References to all entries, filings, annotations, memoranda, and correspondence shown by the record relating to said tract and to the proceedings had.

**RULE 70.**—Rules 43 to 48, inclusive, and Rule 93 are applicable to all appeals from decisions of registers and receivers.

## II.

### PROCEEDINGS BEFORE SURVEYORS-GENERAL.

**RULE 71.**—The proceedings in hearings and contests before surveyors-general shall, as to notices, depositions, and other matters, be governed as nearly as may be by the rules prescribed for proceedings before registers and receivers, unless otherwise provided by law.

III.

PROCEEDINGS BEFORE THE COMMISSIONER OF THE GENERAL LAND OFFICE AND SECRETARY OF THE INTERIOR.

1.—*Examination and argument.*

**RULE 72.**—When a contest has been closed before the local land officers and their report forwarded to the General Land Office, no additional evidence will be admitted in the case, unless offered under stipulation of the parties to the record, except where such evidence is presented as the basis of a motion for a new trial or in support of a mineral application or protest; but this rule will not prevent the Commissioner, in the exercise of his discretion, from ordering further investigation when necessary.

**RULE 73.**—After the Commissioner shall have received a record of testimony in a contested case, thirty days will be allowed to expire before any action thereon is taken, unless, in the judgment of the Commissioner, public policy or private necessity shall demand summary action, in which case he will proceed at his discretion, first notifying the attorneys of record of his proposed action.

**RULE 74.**—When a case is pending on appeal from the decision of the register and receiver or surveyor-general, and argument is not filed before the same is reached in its order for examination, the argument will be considered closed, and thereafter no further arguments or motions of any kind will be entertained except upon written stipulation duly filed or good cause shown to the Commissioner.

**RULE 75.**—If before decision by the Commissioner either party should desire to discuss a case orally, reasonable opportunity therefor will be given in the discretion of the Commissioner, but only at a time to be fixed by him upon notice to the opposing counsel, stating time and specific points upon which discussion is desired; and except as herein provided, no oral hearings or suggestions will be allowed.

2.—*Rehearing and review.*

**RULE 76.**—Motions for rehearing before registers and receivers, or for review or reconsideration of the decisions of the Commissioner or Secretary, will be allowed, in accordance with legal principles applicable to motions for new trials at law, after due notice to the opposing party.

**RULE 77.**—Motions for rehearing and review, except as provided in Rule 114, must be filed in the office wherein the decision to be affected by such rehearing or review was made or in the local land office, for transmittal to the General Land Office; and, except when based upon newly discovered evidence, must be filed within thirty days from notice of such decision.

**RULE 78.**—Motions for rehearing and review must be accompanied by an affidavit of the party, or his attorney, that the motion is made in good faith, and not for the purpose of delay.

**RULE 79.**—The time between the filing of a motion for rehearing or review and the notice of the decision upon such motion shall be excluded in computing the time allowed for appeal.

**RULE 80.**—No officer shall entertain a motion in a case after an appeal from his decision has been taken.

### **3.—Appeals from the Commissioner to the Secretary.**

**RULE 81.**—No appeal shall be had from the action of the Commissioner of the General Land Office affirming the decision of the local officers in any case where the party or parties adversely affected thereby shall have failed, after due notice, to appeal from such decision of said local officers.

Subject to this provision, an appeal may be taken from the decision of the Commissioner of the General Land Office to the Secretary of the Interior upon any question relating to the disposal of the public lands and to private land claims, except in case of interlocutory orders and decisions and orders for hearing or other matter resting in the discretion of the Commissioner. Decisions and orders forming the above exception will be noted in the record, and will be considered by the Secretary on review in case an appeal upon the merits be finally allowed.

**RULE 82.**—When the Commissioner considers an appeal defective, he will notify the party of the defect, and if not amended within fifteen days from the date of the service of such notice the appeal may be dismissed by the Secretary of the Interior and the case closed.

**RULE 83.**—In proceedings before the Commissioner in which he shall formally decide that a party has no right of appeal to the Secretary, the party against whom such decision is rendered may apply to the Secretary for an order directing the Commissioner to certify said proceedings to the Secretary and to suspend further action until the Secretary shall pass upon the same.

**RULE 84.**—Applications to the Secretary under the preceding rule shall be made in writing, under oath, and shall fully and specifically set forth the grounds upon which the application is made.

**RULE 85.**—When the Commissioner shall formally decide against the right of an appeal, he shall suspend action on the case at issue for twenty days from service of notice of his decision, to enable the party against whom the decision is rendered to apply to the Secretary for an order, in accordance with Rules 83 and 84.

**RULE 86.**—Notice of an appeal from the Commissioner's decision must be filed in the General Land Office and served on the appellee or his counsel within sixty days from the date of the service of notice of such decision.

**RULE 87.**—When notice of the decision is given through the mail by the register and receiver or surveyor-general, five days additional will be allowed by those officers for the transmission of the letter and five days for the return of the appeal through the same channel before reporting to the General Land Office.

**RULE 88.**—Within the time allowed for giving notice of appeal the appellant shall also file in the General Land Office a specification of errors, which specification shall clearly and concisely designate the errors of which he complains.

**RULE 89.**—He may also, within the same time, file a written argument, with citation of authorities, in support of his appeal.

**RULE 90.**—A failure to file a specification of errors within the time required will be treated as a waiver of the right of appeal, and the case will be considered closed.

**RULE 91.**—The appellee shall be allowed thirty days from the expiration of the sixty days allowed for appeal in which to file his argument.

**RULE 92.**—The appellant shall be allowed thirty days from service of argument of appellee in which to file argument strictly in reply, and no other or further arguments or motions of any kind shall be filed without permission of the Commissioner or Secretary and notice to the opposite party.

**RULE 93.**—A copy of the notice of appeal, specification of errors and all arguments of either party shall be served on the opposite party within the time allowed for filing the same.

**RULE 94.**—Such service shall be made personally or by registered letter.

**RULE 95.**—Proof of personal service shall be the written acknowledgment of the party served or the affidavit of the person making the service, attached to the papers served, and stating time, place, and manner of service.

**RULE 96.**—Proof of service by registered letter shall be the affidavit of the person mailing the letter, attached to a copy of the post-office receipt.

**RULE 97.**—Fifteen days, exclusive of the day of mailing, will be allowed for the transmission of notices and papers by mail, except in case of notice to resident attorneys, when one day will be allowed.

**RULE 98.**—Notice of interlocutory motions and proceedings before the Commissioner and Secretary shall be served personally or by registered letter, and service proved as provided in Rules 94 and 95.

**RULE 99.**—No motion affecting the merits of the case or the regular order of proceedings will be entertained except on due proof of service of notice.

**RULE 100.**—Ex parte cases and cases in which the adverse party does not appear will be governed by the foregoing rules as to notice of decisions, time for appeal, and filing of exceptions and arguments as far as applicable. In such cases, however, the right to file additional

evidence at any stage of the proceedings to cure defects in the proof or record will be allowed.

RULE 101.—No person hereafter appearing as a party or attorney in any case shall be entitled to a notice of the proceedings who does not at the time of his appearance file in the office in which the case is pending a statement in writing, giving his name and post-office address and the name of the party whom he represents; nor shall any person who has heretofore appeared in a case be entitled to a notice unless within fifteen days after being requested to file such statement he shall comply with said requirement.

RULE 102.—No person not a party to the record shall intervene in a case without first disclosing on oath the nature of his interest.

RULE 103.—When the Commissioner makes an order or decision affecting the merits of a case or the regular order of proceedings therein, he will cause notice to be given to each party in interest whose address is known.

#### 4.—Attorneys.

RULE 104.—In all cases, contested or *ex parte*, where the parties in interest are represented by attorneys, such attorneys will be recognized as fully controlling the cases of their respective clients.

RULE 105.—All notices will be served upon the attorneys of record.

RULE 106.—Notice to one attorney in a case shall constitute notice to all counsel appearing for the party represented by him, and notice to the attorney will be deemed notice to the party in interest.

RULE 107.—All attorneys practicing before the General Land Office and Department of the Interior must first file the oath of office prescribed by section 3478, United States Revised Statutes.

RULE 108.—In the examination of any case, whether contested or *ex parte*, the attorneys employed in said case, when in good standing in the Department, for the preparation of arguments, will be allowed full opportunity to consult the records of the case, the abstracts, field notes, and tract books, and the correspondence of the General Land Office or of the Department not deemed *privileged and confidential*; and whenever, in the judgment of the Commissioner, it would not jeopardize any public or official interest, may make verbal inquiries of chiefs of divisions at their respective desks in respect to the papers or status of said case; but such inquiries will not be made to said chiefs or other clerks of division except upon consent of the Commissioner, Assistant Commissioner, or chief clerk, and will be restricted to hours between 11 a. m. and 2 p. m.

RULE 109.—Any attorney detected in any abuse of the above privileges, or of gross misconduct, upon satisfactory proof thereof, after due notice and hearing, shall be prohibited from further practicing before the Department.

RULE 110.—Should either party desire to discuss a case orally before Secretary, opportunity will be afforded at the discretion of the



Department, but only at a time specified by the Secretary or fixed by stipulation of the parties, with the consent of the Secretary, and in the absence of such stipulation or written notice to opposing counsel with like consent, specifying the time when argument will be heard.

**RULE 111.**—The examination of cases on appeal to the Commissioner or Secretary will be facilitated by filing in printed form such arguments as it is desired to have considered.

5.—

**RULE 112.**—Decisions of the Commissioner not appealed from within the period prescribed become final, and the case will be regularly closed.  
**RULE 113.**—The decision of the Secretary, so far as respects the action of the Executive, is final.

**RULE 114.**—Motions for review or rehearing before the Secretary must be filed with the Commissioner of the General Land Office within thirty days after notice of the decision complained of, and will act as a supersedeas of the decision until otherwise directed by the Secretary.

Any such motion must state concisely and specifically the grounds for review or rehearing, one or both as the case may be, upon which it is based, and may be accompanied by an argument in support thereof.

Upon its receipt, the Commissioner of the General Land Office will forward the motion immediately to this Department, where it will be treated as "special." If the motion does not show proper grounds for review or rehearing, it will be denied and sent to the files of the General Land Office, whereupon the Commissioner will remove the suspension and proceed to execute the decision before rendered. But if, upon examination, proper grounds are shown, the motion will be entertained and the moving party notified, whereupon he will be allowed thirty days within which to serve the same, together with an argument in support thereof, on the opposite party, who will be allowed thirty days thereafter in which to file and serve an answer, but consideration of the motion will not be deferred for further argument.

**RULE 115.**—None of these rules shall be construed to deprive the Secretary of the Interior of either the directory or supervisory powers conferred upon him by law.

## REGULATIONS GOVERNING THE RECOGNITION OF AGENTS AND ATTORNEYS BEFORE DISTRICT LAND OFFICERS.

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1. An attorney at law who desires to represent claimants or contestants before a district land office must file a certificate, under the seal of a United States, State, or Territorial court for the judicial district in which he resides or the local land office is situated, that he is an attorney in good standing.

2. Any person (not an attorney at law) who desires to appear as an agent for claimants or contestants before a district land office must file a certificate from a judge of a United States court, or of a State or Territorial court having common-law jurisdiction, except probate courts, in the county wherein he resides or the local office is situated, duly authenticated under the seal of the court, that such person is of good moral character and in good repute, possessed of the necessary qualifications to enable him to render clients valuable service, and otherwise competent to advise and assist them in the presentation of their claims or contests.

3. The oath of allegiance required by section 3478 of the United States Revised Statutes must also be filed by applicants. In case of a firm, the names of the individuals composing the firm must be given, and a certificate and oath as to each member of the firm will be required.

4. An applicant to practice under the above regulations must address a letter to the register and receiver, inclosing the certificate and oath above required, in which letter his full name and post-office address must be given. He must state whether or not he has ever been recognized as an attorney or agent before this Department or any bureau thereof, or any of the local land offices, and, if so, whether he has ever been suspended or disbarred from practice. He must also state whether he holds any office under the Government of the United States.

After an application to practice has been filed in due form, the register and receiver will recognize the applicant as an attorney or agent, as the case may be, unless they have good reason to believe that the person making the application is unfit to practice before their offices, or unless otherwise instructed by the Commissioner or Secretary.

Registers and receivers must keep a record of the names and residences of all attorneys and agents recognized as entitled to represent clients in their several offices.

Every attorney must, either at the time of entering his appearance for a claimant or contestant or within thirty days thereafter, file the written authority for such appearance, signed by said claimant or contestant, and setting forth his or her present residence, occupation, and post-office address. Upon a failure to file such written authority within the time limited, it is the duty of the register and receiver to no longer recognize him as attorney in the case.

An attorney in fact will be required to file a power of attorney of his principal, duly executed, specifying the power granted and stating the party's present residence, occupation, and post-office address.

When the appearance is for a person other than a claimant or contestant of record, the attorney or agent will be required to state the name of the person for whom he appears, his post-office address, the character and extent of his interest in the matter involved, and when and from what source it was acquired. Authorizations and powers signed or executed in blank will not be recognized.

If any attorney or agent shall knowingly commit any of the following acts, viz: Represent fictitious or fraudulent entrymen; prosecute collusive contests; speculate in relinquishments of entries; assist in procuring illegal or fraudulent entries or filings; represent himself as the attorney or agent of entrymen when he is only attorney or agent for a transferee or mortgagee; conceal the name or interest of his client; give pernicious advice to parties seeking to obtain title to public land; attempt to prevent a qualified person from settling upon, entering, or filing for a tract of public land properly subject to such entry or filing, or be otherwise guilty of dishonest or unprofessional conduct, or who, in connection with business pending in local land offices or in this Department, shall knowingly employ as subagent, clerk, or correspondent a person who has been guilty of any one of these acts, or who has been prohibited from practicing before the register and receiver or this Department, it will be sufficient reason for his disbarment from practice, and registers and receivers are authorized to refuse to further recognize any person as agent or attorney who shall be known to them or be proven before them to be guilty of improper and unprofessional conduct as above stated.

An attorney or agent who has been admitted to practice in any particular land district may be enrolled and authorized to practice in any other district upon filing with the register and receiver of such district a certificate of the register or receiver before whom he was admitted to practice that he is an attorney or agent in good standing.

Any unprofessional conduct on the part of an attorney or agent should be reported to the Commissioner at once, together with the action of the local land officers in the premises.

Appeals from the action of the register and receiver in refusing to admit to practice or in refusing to further recognize an agent or attorney will lie to the Commissioner and Secretary, as in other appealable cases. (Circular approved March 19. 1887. 5 L. D. 508.)

## LAWS AND REGULATIONS GOVERNING THE RECOGNITION OF AGENTS, ATTORNEYS, AND OTHER PERSONS TO REPRESENT CLAIMANTS BEFORE THE DEPARTMENT OF THE INTERIOR AND THE BUREAUS THEREOF.

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### 1.—Laws.

The following statutes relate to the recognition of attorneys and agents for claimants before this Department:

“That the Secretary of the Interior may prescribe rules and regulations governing the recognition of agents, attorneys, or other persons representing claimants before his Department, and may require of such persons, agents, or attorneys, before being recognized as representatives of claimants, that they shall show that they are of good moral character and in good repute, possessed of the necessary qualifications to enable them to render such claimants valuable service, and otherwise competent to advise and assist such claimants in the presentation of their claims; and such Secretary may, after notice and opportunity for a hearing, suspend or exclude from further practice before his Department any such person, agent, or attorney shown to be incompetent, disreputable, or who refuses to comply with the said rules and regulations, or who shall with intent to defraud in any manner deceive, mislead, or threaten any claimant or prospective claimant by word, circular, letter, or by advertisement.” (Act July 4, 1884, sec. 5; 23 Stats., 101.)

“Every officer of the United States, or person holding any place of trust or profit, or discharging any official function under, or in connection with, any Executive Department of the Government of the United States, or under the Senate or House of Representatives of the United States, who acts as an agent or attorney for prosecuting any claim against the United States, or in any manner, or by any means, otherwise than in discharge of his proper official duties, aids or assists in the prosecution or support of any such claim, or receives any gratuity, or any share of or interest in any claim from any claimant against the United States, with intent to aid or assist, or in consideration of having aided or assisted, in the prosecution of such claim, shall pay a fine of not more than five thousand dollars, or suffer imprisonment not more than one year, or both.” (Section 5498, Revised Statutes.)

"It shall not be lawful for any person appointed after the first day of June, one thousand eight hundred and seventy-two, as an officer, clerk, or employé in any of the departments, to act as counsel, attorney, or agent for prosecuting any claim against the United States which was pending in either of said departments while he was such officer, clerk, or employé, nor in any manner, nor by any means, to aid in the prosecution of any such claim, within two years next after he shall have ceased to be such officer, clerk, or employé." (Section 190, Revised Statutes.)

"Any person prosecuting claims, either as attorney or on his own account, before any of the departments or bureaus of the United States, shall be required to take the oath of allegiance, and to support the Constitution of the United States, as required of persons in the civil service." (Section 3478, Revised Statutes.)

"The oath provided for in the preceding section may be taken before any justice of the peace, notary public, or other person who is legally authorized to administer an oath in the State or district where the same may be administered." (Section 3479, Revised Statutes.)

The act of May 13, 1884, sec. 2, (23 Stats., 22), provides that the oath above required shall be that prescribed by section 1757, Revised Statutes, which is as follows:

I, A B, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties of the office on which I am about to enter. So help me God.

## 2.—Regulations.

1. Under the authority conferred on the Secretary of the Interior by the fifth section of the act of July 4, 1884, it is hereby prescribed that an attorney at law who desires to represent claimants before the Department or one of its bureaus shall file a certificate of the clerk of the United States, State, or Territorial court, duly authenticated under the seal of the court, that he is an attorney *in good standing*.

2. Any person (not an attorney at law) who desires to appear as agent for claimants before the Department or one of its bureaus must file a *certificate from a judge of a United States, State, or Territorial court, duly authenticated under the seal of the court*, that such person is of good moral character and in good repute, possessed of the necessary qualifications to enable him to render claimants valuable service, and otherwise competent to advise and assist them in the presentation of their claims.

3. The Secretary may demand additional proof of qualifications, and reserves the right to decline to recognize any attorney, agent, or other person applying to represent claimants under this rule.

4. The oath of allegiance required by section 3478 of the United States Revised Statutes must also be filed.

5. In the case of a firm, the names of the individuals composing the firm must be given, and a certificate and oath as to each member of the firm will be required.

6. Unless specially called for, the certificate above referred to will not be required of any attorney or agent heretofore recognized and now in good standing before the Department.

7. An applicant for admission to practice under the above regulations must address a letter to the Secretary of the Interior, inclosing the certificate and oath above required, in which letter his full name and post-office address must be given. He must state whether or not he has ever been recognized as attorney or agent before this Department or any bureau thereof, and, if so, whether he has ever been suspended or disbarred from practice. *He must also state whether he holds any office of trust or profit under the Government of the United States.*

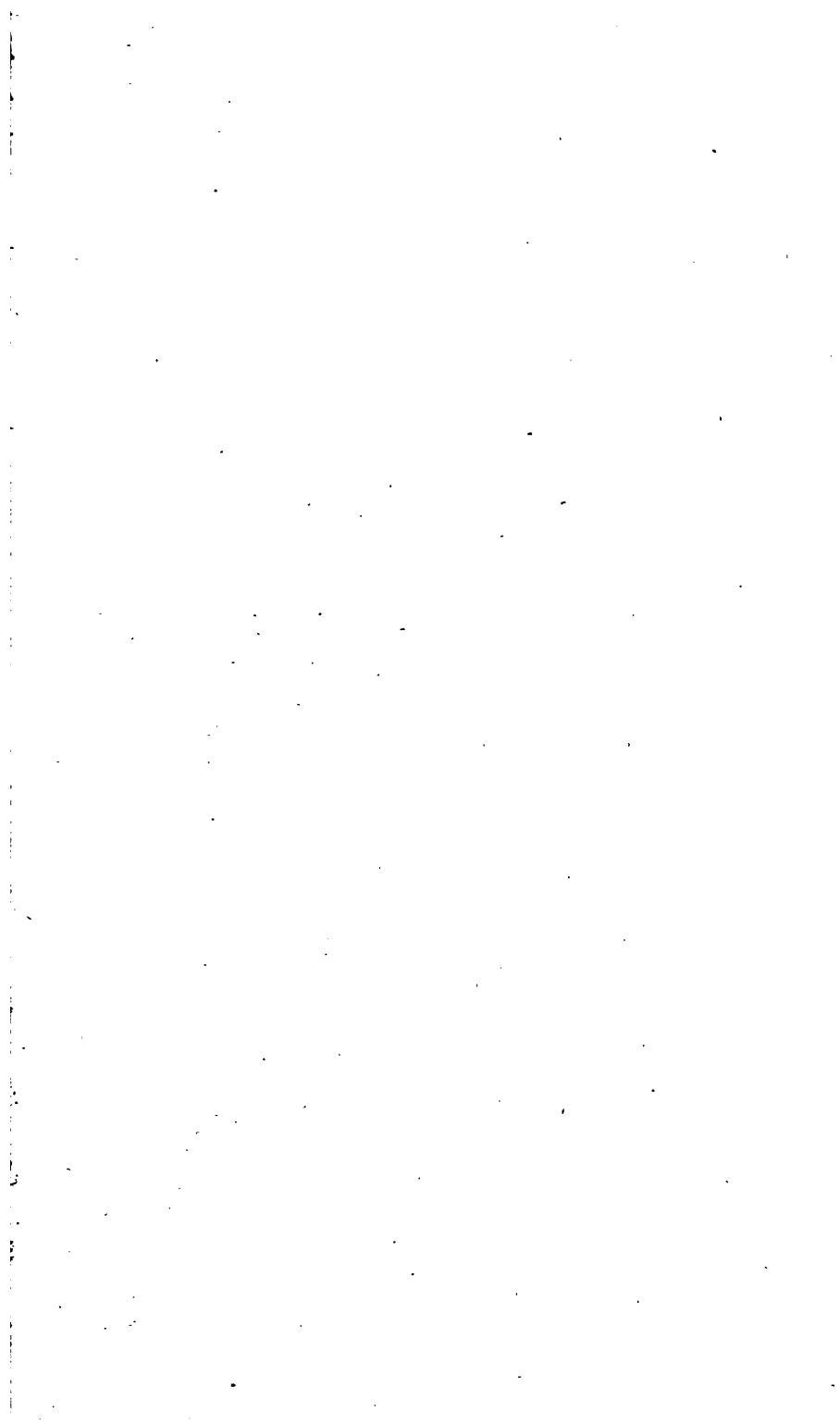
8. No person who has been an officer, clerk, or employee of this Department within two years prior to his application to appear in any case pending herein shall be recognized or permitted to appear as an attorney or agent in any such case as shall have been pending in the Department at or before the date he left the service: *Provided*, This rule shall not apply to officers, clerks, or employees of the Patent Office, nor to cases therein.

9. Whenever an attorney or agent is charged with improper practices in connection with any matter before a bureau of this Department, the head of such bureau shall investigate the charge, giving the attorney or agent due notice, together with a statement of the charge against him, and allow him an opportunity to be heard in the premises. When the investigation shall have been concluded, all the papers shall be forwarded to the Department, with a statement of the facts and such recommendations as to disbarment from practice as the head of the bureau may deem proper, for the consideration of the Secretary of the Interior. During the investigation the attorney or agent will be recognized as such, unless for special reasons the Secretary shall order his suspension from practice.

10. If any attorney or agent in good standing before the Department shall knowingly employ as subagent or correspondent a person who has been prohibited from practice before the Department, it will be sufficient reason for the disbarment of the former from practice.

11. Upon the disbarment of an attorney or agent, notice thereof will be given to the heads of bureaus of this Department, and to the other Executive Departments; and thereafter, until otherwise ordered, such disbarred person will not be recognized as attorney or agent in any claim or other matter before this Department or any bureau thereof.









U.S. Army

7

# ROSTER OF TROOPS

SERVING IN THE

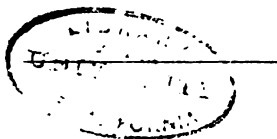
## DIVISION OF CUBA,

COMPRISING

THE DEPARTMENTS OF  
MATANZAS AND SANTA CLARA; PROVINCE OF  
HAVANA AND PINAR DEL RIO; HAVANA;  
AND SANTIAGO AND PUERTO  
PRINCIPE,

COMMANDED BY

MAJOR GENERAL LEONARD WOOD,  
U. S. VOLUNTEERS.



ADJUTANT GENERAL'S OFFICE.

HAVANA.

JANUARY, 1900.

Notwithstanding this, and the fact that a great portion of the coasts are surrounded by rocks and banks of sand, there are many safe ports, viz:

NORTH COAST.	PROVINCES
1. Bahía Honda.....	} Pinar del Río.
2. Cabañas.....	
3. Mariel.....	
1. Habana.....	Habana.
1. Matanzas .....	} Matanzas.
2. Cárdenas.....	
1. Isabela de Sagua .....	} Santa Clara.
2. Caibarién.....	
1. Nuevitas.....	} Puerto Príncipe.
2. Nuevas Grandes .....	
1. Gibara .....	} Santiago de Cuba.
2. Banes.....	
3. Bahía de Nipe.....	
4. Sagua de Tánamo.....	
5. Baracoa.....	

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15

SOUTH COAST.	PROVINCES.
1. La Coloma.....	Pinar del Río.
1. Batabanó .....	Habana.
1. Cienfuegos.....	} Santa Clara.
2. Casilda.....	
3. Tunas de Zaza.....	
1. Júcaro.....	} Puerto Príncipe.
2. Santa Cruz.....	
1. Manzanillo .....	} Santiago de Cuba.
2. Santiago de Cuba.....	
3. Guantánamo.....	

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10

The soil of Cuba is, generally, mountainous, although there exist vast tracts of level ground and fertile valleys, as the "Yumuri," in Matanzas, San Luis in Trinidad, and the one in Guantánamo, where a number of important sugar plantations are situated. The highest mountains are found in the Provinces of Santiago de Cuba and Santa Clara, and next to these in elevation are those in the Province of Pinar del Río, greatly decreasing in Matanzas and Havana.

The rivers of Cuba, owing to the narrowness of the Island and to the mountains rising in the centre, are short, flowing to the North

and to the South. Those flowing to the North are the shortest. The largest rivers of the Island are found in the Provinces of Santa Clara and Santiago de Cuba. The largest of all, the Cauto, is 180 miles long.

The principal rivers in each Province are:

**NORTH COAST.**

**PROVINCES.**

1. Cuadiana.....	}	Pinar del Río
2. Salado.....		
3. Santa Lucía ó Malas Aguas....		
4. Mantua.....		
5. Pan de Azúcar.....		
6. Rosario.....		
7. Santiago.....		
8. Dominica.....		
9. Rio Blanco.....		
1. Almendares.....	}	Habana.
2. Jaimanita.....		
3. Cojimar.....		
4. Jaruco.....		
1. Yumurí.....	}	Matanzas.
2. San Juan.....		
3. Caimar.....		
4. Júcaro.....		
5. La Palma.....		
1. Sierra Morena.....	}	Santa Clara.
2. Carahatas.....		
3. Sagua la Grande.....		
4. Sagua la Chica.....		
5. Caunao.....		
6. Jatibonica del Norte.....		
1. Chambas ó Los Perros.....	}	Puerto Príncipe.
2. Caunado.....		
3. Máximo.....		
4. Nuevitas.....		
1. Gibara.....	}	Santiago de Cuba.
2. Tenemo.....		
3. Sagua de Tánamo.....		
4. Nibujon.....		
5. Toa.....		

33.

**SOUTH COAST.**

1. Cuyaguaje.....	}	Pinar del Río.
2. San Juan y Martínez.....		
3. Coloma.....		
4. Rio Hondo.....		
5. San Diego.....		
6. Los Palacios.....		

## SOUTH COAST.

## PROVINCES.

1. Caimito .....	} Habana.
2. Rosario .....	
3. Mayabeque .....	
1. Hanábana .....	} Matanzas.
2. Hatiguanico .....	
1. Damují .....	} Santa Clara.
2. Arimao .....	
3. Caunao .....	
4. Salado .....	
5. Cuarabo ó Tayaba .....	
6. Agabama ó Manatí .....	
7. Tayabacoa .....	
8. Zaza .....	
9. Jatibonico del Sur .....	
1. Vertientes .....	} Puerto Príncipe.
2. San Pedro ó Santa Clara .....	
3. Santa Cruz del Sur .....	
4. Sevilla .....	
5. Tana .....	
1. Cauto .....	} Santiago de Cuba.
2. Gua .....	
3. Yara .....	
4. Jibacoa .....	
5. Guantánamo .....	
6. Yateras .....	

## 31.

The Island of Cuba is situated at the distance of 170 kilometres from Florida, 77 kilometres from Santo Domingo, 140 kilometres from Jamaica and 200 from Yucatan.

The climate of the Island is hot throughout the year, although tempered in summer by the breeze blowing constantly from the first quadrant, from 10 to 11 a. m. till sunset, and also by the rainfall in the months from May to November.

The mean temperature in the hottest months is 28° to 29° centigrade (82½ to 84 Fahrenheit) and the coldest 17° centigrade (62½ Fahrenheit) in the interior of the Island, and 21° centigrade (69-8° Fahrenheit) in Havana.

The highest temperature marked by the centigrade thermometer in the shade is commonly 30 to 31° (83 to 85 Fahrenheit) although sometimes the mercury goes up so high as 34° centigrade (93° Fahrenheit), as in the present year.

The pluviometer has reached the height of 2.25 meters. Hail is frequent and frost has appeared occasionally in Santa Clara.

The hurricanes are not so frequent in this Island as in the other West Indies, but when they occur they are intense and disastrous, as the remarkable ones of the years 1774, 1844, 1846, 1865, 1870, 1876, 1885 and 1894.

Earthquakes occur frequently in the eastern portion of the Island, especially in the district of Santiago de Cuba, some of them

of great intensity and duration, as those of the years 1776, 1842 and 1852, all causing great damage. The last one ruined the district to such an extent that the decadency of the same, it can be assured, was then initiated.

As to the surface, Cuba is nearly equal to:

- 16 times the whole of the Canary Islands.
- 13 " " " " " Porto Rico.

- 
- 11 times Jamaica Island.
  - 7 " " Sandwich "
  - 1½ " " Santo Domingo "

- 
- 1 time State of New York.
  - 1 " " " Pennsylvania.
  - 1 " " " Mississippi.

- 
- ½ of the whole Philippine Islands.
  - ¼ " " " remnant of the Spanish Kingdom.
  - 1/76 of the United States of America.

Cuba can be drawn with a rectangle 11 unities long and 3½ unities wide, because the difference between its extreme meridians is 10° 48' and that of the highest and the lowest latitude is 3° 24'.

These 10° 48' are equivalent to 1,200 kilometres (648 nautical miles), as the degree is, in this latitude, very nearly equal to the ninth part of one thousand kilometres.

As to the population, it is to be observed that the United States have about 76 millions of inhabitants, and Cuba, after the war, something over one million. Therefore:

1. The density of, or the relative population, in Cuba, is nearly *the same* as that of the United States.
2. If it is a fact that in the United States there is room enough for one *thousand* million inhabitants, without over-crowding, as it is frequently stated by competent writers, it is also true that in Cuba there is room for nearly *thirteen* millions.

1.

2.

3.

4.

## MINERAL RESOURCES.

There is not, at present, sufficient knowledge regarding the real mineral richness of the Island to form an exact opinion, or to make an accurate estimate of same. In former times, the mineral products known, forming rich and abundant mines, have been operated, rendering large profits. The industry afterwards was totally stopped, owing to the abnormal circumstances in which the Island remained during many years. The benefits of peace, already felt, are giving new vigor to this enterprise, judging from the great number of petitions for concessions filed in the Civil Government of each Province.

The mineral resources of the Island are represented by the following minerals: *Gold, silver, iron, copper, manganese, lead, asphalt, petroleum, naphtha, graphite, amianthus, zinc, mercury*, and, as stated by some miners, *coal*. These minerals are found in most of the Provinces in which the Island is subdivided: but the richest mineral district is the Province of Santiago de Cuba, and next in importance are the Provinces of Santa Clara, Puerto Príncipe, Pinar del Río, Matanzas and Havana.

Some of the mines above referred to have been operated; others are actually in operation; most of them have been already granted; and the balance are under petition for filing.

The following statement gives an idea of the existing mines in each Province, although the number probably will be increased when exact and complete statistical data can be obtained.

### Statement of the Existing Granted Concessions of Mines in the Provinces of the Island.

PROVINCES.	MINES	HECTARES	
Santiago de Cuba. ....	386	18051	1153
Santa Clara.....	59	1736	0669
Puerto Príncipe.....	27	2106	9624
Pinar del Río.....	13	551	3975
Matanzas.....	11	180	
Havana.....	10	207	
TOTAL.....	506	22832	5421

Of this number of mines, very few of *iron, manganese and copper* in the Province of Santiago de Cuba are in operation. The others can be considered only as concessions waiting for funds for exploitation. The Administration, according to enforced laws, cannot compel the miners to operate their claims. The owner is in possession of his mine to perpetuity, and at *his own will may work it or not*. The only cause of forfeiture established by the law is the *lack of payment of the annual taxes*. It should be desirable that the great number of petitions, filed in the offices of the Civil Governments of the Provinces, be intended for the purpose of developing this important industry in the Island of Cuba.

The applicants for mines can, according to law, ask at a time for one or several "claims" (in Spanish "pertenencias").

The "pertenencia" is 300 meters long by 200 meters wide (6 hects., excepting when the mines are of *iron, coal, anthracite, lignite, turf, asphalt and bituminous clays*, in which case it is 500 meters long by 300 m. wide (15 hects.).

It is to be observed that the second one is two and a half times larger than the former.

The taxes to be paid to the Government are *five dollars yearly*, per hect., or, what is the same, 30 dollars for each claim containing 6 hects. (15 acres nearly), when the mines be of *precious stones or metalliferous substances*.

In the other cases, the tax is *two dollars per hect.*, and, therefore, the total to be paid for the "pertenencia" may be 12 or 30 dollars, according to the surface of the claim, or 15 hects. (15 or 37½ acres).

It is very interesting to know that the mines of *iron, fuel, manganese, zinc and lead* are free of taxes, and *will be so until the year 1903* by provision of two special laws (April 16, 1883, and June 30, 1887) enacted to this purpose by the Spanish Parliament.

The legislation of mines, actually in force, prescribes no other cause for the forfeiture of mines than the lack of payment of taxes, as it has been said above, and as these last mines pay no taxes, the Administration, therefore, cannot, *in any case*, declare the forfeiture of mines of *iron, fuel, manganese, zinc and lead during the period of the franchise*.

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## PUBLIC LANDS.

### How Held and How Entered.

The following statement shows the extent of the public lands, including forests:

PROVINCES.	HECTARES.
Santiago de Cuba.....	175,200
Puerto Príncipe.....	2,586
Santa Clara.....	9,181
Matanzas.....	"
Havana.....	"
Pinar del Río.....	"
TOTAL.....	186,967

The hectáre is equivalent to  $2\frac{1}{2}$  acres, approximately.

In regard to the condition in which these public lands are, it must be stated that the limits or boundaries are not fixed, and in consequence they have not been entered in the Registry of Property (Registro de la Propiedad).

These lands are covered with forests, and, as most of them are situated in the interior of the Island, no availments can be made owing to the absence of roads. Some of the public lands under the care of the Department of Finance are rented and other portions have been ceded to private parties in consideration of an annual tribute of 5% of the value assigned to each caballería (33 acres).

When Spain took possession of the Island of Cuba, large portions of lands were ceded to the Spanish settlers with the object of promoting the breeding of cattle of every kind. These concessions were called "Mercedes" and were granted by the municipalities from the year 1550 to 1729, when they were prohibited. At first, the geometric form and the surface of the lands ceded were unknown, using the word "Sabana" to express the concession of the land granted for breeding large cattle, and the word "Sitio" for those granted for breeding swine and other minor cattle.

In 1579 it was agreed to fix the extension of these lands and the circular form was adopted, allowing a radius of one Cuban league to

the "Corral" (421½ caballerías, or 5,651 hectares, 43 áreas), and two leagues to the radius of the "Hato" (1,684½ caballerías or 22,606 hectares). The names "Sabana" and "Sitio" were changed for "Hato" and "Corral."

These farms having circular forms and being the centers at convenient distances, spaces of unoccupied lands are left between two or more of them, called "Realengos."

Of these "Realengos," some have been also granted, others have been illegally appropriated by private parties, and others have been aggregated to the adjoining "Hatos" or "Corrales" by moving the centers clandestinely when deemed profitable by the proprietors.

Owing to the scarce population of the Island and to the great number of concessions granted of large extensions of lands, the *realengos* have been abandoned from old to such extent that the Administration had no knowledge of the lands existing on these conditions. Afterwards, denunciations of "realengos" from private parties were allowed, assigning to them the third of the lands denounced. By this way, most of the lands to-day became the property of the State. The lands belonging to religious associations were also placed in charge of the State.

## FORESTS AND FOREST TREES.

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The area of the public forests of the Island of Cuba, it can be assured, is not less than 37,000 "caballerías," 496,540 hectares, or 1,226,920 acres, existing in the several Provinces in which the Island is actually subdivided. The most important Provinces in this respect are Santiago de Cuba and Santa Clara. In the aforementioned area are included the forest of the littoral and those on the isles and keys surrounding the Island, the main production of which is wood for fuel and bark and leaves of the red mangrove, and "patiban" used for tanning purposes. The timber forests of the property of the municipality of Jiguani, with an area of 46,759 hectares, have been also included, as they are considered by the present legislation as public forests.

The following statement gives an idea of the public forests in each Province:

PROVINCES	HECTARES
Santiago de Cuba.....	210,200
Santa Clara.....	124,660
Pinar del Río.....	60,000
Matanzas.....	46,000
Puerto Príncipe.....	35,680
Havana.....	20,000
TOTAL.....	496,540

The hectare is equivalent to 2½ acres, approximately.

### Principal species of trees used in constructions.

COMMON NAMES.	TECHNICAL NAMES.	
1. Acana.....	Bassia albescens.....	Gris.
2. Almendro.....	Laplacea Curtyana.....	Rich.
3. Arabo.....	Erytroxylum obovatum.....	Macf.
4. Agua amarilla.....	Zanthoxylum bombacifolium.....	Rich.
5. Baria.....	Cordia gerascanthoides.....	Kunth.
6. Carne de doncella.....	Byrsonima lucida.....	Kunth.
7. Caoba.....	Swietenia Mahagoni.....	Lin.

## COMMON NAMES.

## TECHNICAL NAMES.

8. Cedro.....	Cedrela odorata.....	Lin.
9. Cocuyo.....	Bumelia nigra.....	Sw.
10. Cuajani.....	Cerasus Occidentalis.....	Lin.
11. Chicharrón prieto.....	Chuncoa abovata.....	Poir.
12. Dagáme.....	Calicophyllum candidissimum.....	D. C.
13. Fustete.....	Maclura tintorea.....	Nutt.
14. Guao de Costa.....	Rhus metopium.....	Lin.
15. Frijolillo amarillo.....	Lenchocarpus tatifolius.....	Kunth.
16. Guaguasí.....	Cnasearia tottioides.....	Rich.
17. Guayacán.....	Guajatum officinale.....	Lin.
18. Jaimiquí.....	Byrsonima lucida.....	Kunth.
19. Jamaquey.....	Belaira mucronata.....	Rich.
20. Jiquí de costa.....	Malpighia obovata.....	Kunth.
21. Jocuma prieta.....	Syderoxylon mastichodrendon.....	Jacq.
22. Jucaro prieto.....	Busida capitata.....	Vahl.
23. Maboa.....	Cameraria latifolia.....	Jacq.
24. Majagua.....	Hibiscus tiliacens.....	Lin.
25. Moruro de costa.....	Acacia littoralis.....	Rich.
26. Quiebra hacha.....	Copaifera hymenofolia.....	Moris.
27. Roble real.....	Tecoma longiflora.....	Gris.
28. Sabicú.....	Lysiloma Sabicú.....	Benth.
29. Tengué.....	Poeppigia procera.....	Rest.
30. Yaba.....	Andira inermis.....	Kunth.
31. Yaití.....	Excocaria lucida.....	Sw.
32. Yaya.....	Guatteria virgata.....	Dun.

**Species of trees whose barks or leaves are used  
for tanning purposes.**

## COMMON NAMES.

## TECHNICAL NAMES.

1. Los Guayabos.....	Psidium.....	
2. Marañón.....	Anacardium occidentale.....	Lin.
3. Moruro de sabana....	Petophorum adriatun.....	Gris.
4. Peralejo de sabana....	Byrsoninia crassifolia.....	Kunth.
5. Mangle colorado.....	Phizophora mangle.....	Lin.
6. Mangle blanco.....	Avicennia nitida.....	Jacq.
7. Encina.....	Quercus virens.....	D. C.
8. Pataban.....	Laguncularia racemosa.....	Sortu.

**Species of trees used for coloring (tints).**

## COMMON NAMES.

## TECHNICAL NAMES.

1. Fustete.....	Matlura tinctoria.....	Nutt.
2. Bija ó Achiote.....	Bixa arellana.....	Lin.
3. Brazil colorado.....	Casalpinia crista.....	Din.
4. Brazilete.....	Coulteria tintoria.....	Kuth.
5. Peralejo de monte.....	Byrsonima Cubensis.....	Juss.

**Species of trees from whose fruits or seeds oil is obtained,**

COMMON NAMES.	TECHNICAL NAMES.
1. Coco .....	<i>Cocos nucifera</i> ..... Lin.
2. Corojo .....	<i>Cocos crista</i> ..... Kunth.
3. Piñon.....	<i>Erythrina corallodudron</i> ..... Lin.
4. Mamey colorado.....	<i>Lucuma Bomplandi</i> ..... Kunth.
5. Aguacate .....	<i>Persea gratissima</i> ..... Gartu.
6. Encina .....	<i>Quercus virens</i> ..... D. C.

**Species of trees whose bark is used in cordage manufacturing.**

COMMON NAMES.	TECHNICAL NAMES.
1. Daquilla.....	<i>Lagetta lintearia</i> ..... Lam.
2. Guara común.....	<i>Cupania tormentosa</i> ..... Sw.
3. Majagua.....	<i>Hibiscus tiliaceus</i> ..... Lin.
4. Majaguilla.....	<i>Pavonia racenosa</i> ..... S. W.
5. Guama comun.....	<i>Louchocarpus pyxidanius</i> ..... D. C.
6. Guacacoa.....	<i>Daphnopsis cubensis</i> ..... Kunth.
7. Corojo.....	<i>Cocos crista</i> ..... Kunth.

**Species of trees producing gums and resins.**

COMMON NAMES.	TECHNICAL NAMES.
1. Almacigo .....	<i>Bursera gumnifera</i> ..... Jacq.
2. Ciruelo.....	<i>Spondias lutea</i> ..... Lin.
3. Cedro.....	<i>Cedrela odorata</i> ..... Lin.
4. Copal.....	<i>Voica copal</i> ..... Rich.
5. Guaguasi.....	<i>Casaria lotioides</i> ..... Rich.
6. Manajú.....	<i>Rheedia aristata</i> ..... Griss.
7. Copey .....	<i>Clusia rosea</i> ..... Lin.
8. Abey hembra .....	<i>Papigia excelsa</i> ..... Rich.
9. Maboá.....	<i>Cameraria latitolia</i> ..... Jacq.
10. Mango.....	<i>Mangifera indica</i> ..... Lin.
11. Marañón .....	<i>Anacardium occidentale</i> ..... Rich.
12. Mamey amarillo.....	<i>Mammea americana</i> ..... Lin.
13. Pino.....	<i>Pinus occidentale</i> ..... Rich.
14. Yaba.....	<i>Andira inermis</i> ..... Kunth.

Besides the enumerated species, whose uses have been expressed, and which are the most important to be known, there are others, of which about fifty different species are fruit trees, and among the balance exist species used for fuel, fencing, carpentry and cabinet works, and country constructions.



## **CHARACTER OF SOIL**

### **and Principal Products by Provinces.**

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#### **PROVINCE OF PINAR DEL RIO.**

##### **Lands.**

The lands of this Province differ greatly in their formation; the *quaternaries* are found forming two bands or zones; one to the North and the other to the South, excepting the piece of land pertaining to Cape Corrientes.

The Southern band is a great deal wider than the Northern. The portion of this Province between long. 78 and 79 W. San Fernando, Spain, is absolutely of the same post-tertiary formation. These lands are limited by the coasts and, generally speaking, are low and marshy; they are used chiefly for raising cattle and swine, as well as for the manufacture of charcoal and the gathering of leaves and bark of the red mangrove.

##### **Soil of the tertiary period.**

The lands of this formation are also found in two strips parallel to the above mentioned. They are considered first class for the culture of tobacco owing to their *arenaceous, argillo-calcareous, humiferous composition*, principally in the southern part of the Province (municipalities of Guane, San Juan y Martinez, San Luis, Consolación del Sur,) where the *Vuelta Abajo Vegas* of world-wide fame are located.

##### **Soil of the secondary period.**

To this class pertain all the central high lands of the Province. On the summit of these mountains, small spaces of igneous soil, mostly composed of serpentine rocks, are found. These lands are generally of bad quality. Some coffee grows on them, but their principal productions are cattle, timber for construction, and wood for manufacturing charcoal. This portion of land is the most mountainous of the Province.

### **Primitive soil.**

To the S. W. of the *Organos* ridge exists a zone pertaining to the primitive formation, covered by woods almost in its total area.

### **Principal products of the Province.**

Tobacco, sugar cane, coffee, timber, charcoal and cattle.

## **PROVINCE OF HAVANA.**

### **Soil of the quaternary period.**

They are found in all the south coast littoral and in a small portion of the northern, to the east of Havana.

### **Soil of the tertiary formation.**

These lands are located in the Southern and Western portion of the Province adjoining the zones of the quaternary formation, although the strips of said class of soil are rather narrow. In the municipalities of Alquizar and Güira de Melena, situated in the S. W. section of the Province, tobacco of very good quality, called *de partido*, is cultivated, and also coffee, bananas, sugar cane and oranges. The soil in this part of the Province is red.

The dark soil of the municipalities of Güines, Melena del Sur, Nueva Paz and San Nicolás on the South coast, to the East, produce good sugarcane and, in Güines, also potatoes, and enough vegetables of every kind to supply the Havana markets.

The arenous-argillo-calcareous lands of the municipality of Bauta, to the West of Havana, are of first class for cultivating white and violet pineapples.

### **Lands of the secondary period.**

They form a band of land beginning South of the City of Havana, running East to the limits of Matanzas. In this zone are located parts of the Municipalities of Madruga, Tapaste, Santa Maria del Rosario, Casiguas and others.

### **Igneous soil.**

Only a small portion of this kind of land can be found, in the Municipality of Guanabacoa to the East of Havana.

### **Principal productions of the Province.**

Sugar cane, alcohol, tobacco, pineapples, *yuca*, starch, some coffee, bananas, corn, vegetables of every kind and other produce.

## **PROVINCE OF MATANZAS.**

### **Quaternary formations.**

They are found in the shape of narrow strips running along the North coast from the bay of Matanzas to the limits of Santa Clara Province, and all along the South coast of the Province.



### **Tertiary formations.**

The lands of this formation are situated on the West side of Matanzas, running in said direction to the limits of Havana Province; in the central and southern part of the Province, to the Zapata swamps, and limits of Santa Clara.

The red soil of the Municipalities of Jovellanos, Güira de Macurijes, Gervantes (formerly Perico), Bolondron and La Union are considered of the very best kind for cultivating sugar cane, coffee, oranges, bananas, sweet potatoes, "ñame," "yuca," corn, etc. The lands of the Municipalities of Alacranes, Jagüey Grande, Guanajayabo and Guamacaro are of argillo-arenous-calcareous humiferous composition of dark or brown color, in some instances rather humid, but of thick vegetable coat. It is good for cultivating sugar cane.

### **Secondary formations.**

The lands of these formations are situated in the central highlands of this region, forming a zone running from the West of the village of Colon nearly to the Municipality of Union de Reyes.

### **Igneous soils.**

These soils are located in the center of the secondary zone, forming narrow strips which begin at Colon and end at Union de Reyes.

The parts of this Province pertaining to the Municipalities of Cimarrones and San José de los Ramos are greatly flooded during heavy rainy seasons on account of the swelling of the rivers flowing through, or near by, said terminos.

### **Principal products of the Province.**

Sugar cane, alcohol and timber.

## **PROVINCE OF SANTA CLARA.**

### **Lands of the quaternary formation.**

This kind of soil extends from the limits of the Matanzas Province to the North of Sagua la Chica river on the North coast, and to Cienfuegos on the South coast.

### **Lands of the tertiary period.**

These lands are found in the Northern part of the Province from Sagua la Chica river to the limits of the Province of Puerto Príncipe, forming a wide zone extending westward to the Province of Matanzas. In this zone are located, in part, the Municipalities of Yaguajay, Remedios, Taguayabón, Vueltas, Camajuaní and Sagua. On the South coast, they form a narrow strip beginning in the port of Cienfuegos and ending in the Province of Puerto Príncipe. This zone becomes wider in the central region of the Province, occupying a considerable extension of land. The Municipalities of Trinidad and Sancti Spiritus are situated in this zone.

Soil of the same formation occupied by the Municipalities of Cartagena and Santa Isabel de las Lajas can be found in the Western portion of the Province.

### **Lands of the secondary period.**

They form two irregular bands joining in the West. Lands of this formation, although occupying a small area, can be found to the North of Cienfuegos port, in the place where the Municipality of Camarones is situated.

### **Primitive formation.**

Soil of this kind can be found on the East side of the Arimao river, extending to the North slope of the Siguanica. The renowned Manicaragua Vegas are located on this formation.

### **Principal products of the Province.**

Sugar cane, tobacco, coffee, cocoa, corn, bananas, honey wax, timber, alcohol, cattle, charcoal, and bark and leaves for tanning hides.

## **PROVINCE OF PUERTO PRINCIPE**

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### **Lands of the quaternary period.**

Soil of this formation extends in a narrow strip in the Northern part of the Province and also in the South coast from the port of Santa Cruz to Santiago de Cuba. Lands of this kind can be found, also, at the mouth of the river Santa Clara.

### **Tertiary period.**

Lands of this formation exist forming two parallel zones, one in the North and the other in the South portion of the Province. The Municipalities of Moron, Nuevitas, Ciego de Avila and Santa Cruz are located in said zones.

### **Igneous soil,**

It forms a wide band in the central part of the Province. The city of Puerto Principe is situated on this kind of soil,

### **Principal products of the Province.**

Cattle, sugar cane, wax, honey and timber.

## **PROVINCE OF SANTIAGO DE CUBA,**

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### **Lands of the quaternary period.**

Soil of this formation exists in the Northern part of the Province, extending to Mangle Point. In the South, they extend from Cape Cruz in the Western direction to the limits of the Province of Puerto Principe, and again from Puerto Escondido to Cape Maisí.

### **Lands of the tertiary period.**

They exist all along the South coast, excepting the portions from Puerto Escondido to Maisí, which are, as stated above, of the quaternary formation. The towns of Piedras, Jiguaní, Barajagua and

**Mayarí** are situated on this kind of soil and also San Pedro, San Marcos and the municipality of Gibara.

#### **Lands of the secondary formation.**

They occupy the southern part of the Province from Cape Cruz to Guantánamo and thence to the northeast to the mountains of Pico. This is the richest mineral region in the Province.

#### **Lands of the primitive formation.**

Of this kind of soil there exists only a small portion, to the northeast of the port of Manatí.

#### **Igneous soils.**

They are found forming a wide zone embracing the Municipalities of Bayamo, Holguín and Victoria de las Tunas; all the northern slope of the Sierra Maestra is also of the same kind of soil, being crossed by strips of the secondary formation.

#### **Principal products of the Province.**

Minerals, coffee, sugar cane, tobacco, cocoa, wax, honey, coconuts, bananas and timber.



## PRESENT STATE

### of improvements on plantations and farms.

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#### Sugar plantations.

Since a few years ago, industry was separated from agriculture in most of the large plantations called "Centrales," obtaining thus a considerable increase in the sugar production, owing to the reasonable and methodic subdivision of labor.

The industrial process in the manufacturing of sugar was greatly improved during the years *preceding* the *invasion* of the Western Provinces by the forces of the Revolution, *initiated* in February of 1895 in the Eastern Region of the Island. With a few exceptions the "Centrales" were furnished with furnaces for burning green bagasse as fuel; machinery of great power, mills of large dimensions, regrinders, defibrators and defecators were established; improvements were made for the purpose of maintaining the juice at a high temperature, thus avoiding *ferments*; and vacuum pans for boiling, evaporating and concentrating the saccharine matter of the cane juice (called triple effect apparatus) were also established. And to separate the molasses from the sugar, centrifugal filters were introduced. At the same time, railways were constructed in the interior of mills and fabrics, and easy laboratories were established to assure the chemical proceedings in the process of sugar manufacturing, and electric light had been used instead of kerosene, gasoline, etc. Railroad branches, connecting the sugar mills with depots and other shipping places, have been constructed to facilitate the transportation of products, and also branches of private service extending to zones where no railroads of public service have ever been built.

For the purpose of loading carts with cane in the fields and unloading on the railroad cars or on the slate gutters (cane conductors) at the mills, several devices have been patented under the name of "loaders and unloaders of cane," which are very simple, inexpensive and great labor-saving apparatuses.

Sr. Terry, a wealthy farmer, owner of the "Central Caracas" in Cienfuegos, has introduced in his plantations for extracting the sugar contained in the cellules of the cane, the diffusion process. The results have proved satisfactory, as greater production has been obtained, although there is not enough data at hand for a strict judgment of the process from an economical point of view.

### **Manufacturing of starch from Yuca.**

The farms on which this industry was carried on before the war were destroyed or burned down and have not been reconstructed up to the present date.

### **Coffee plantations (cafetales).**

In the province of Santiago de Cuba a move in the way of reconstruction of this kind of farms has been commenced.

### **Sugar Cane Colonies.**

Owing to the lack of pecuniary means of the owners of lands where these colonies were established the agricultural move in this way is rather unimportant. As the proprietors of the Centrals cannot afford to *advance* money for the purpose of rebuilding the wrecked houses, purchase of oxen and other agricultural implements, as well as for plowing and planting anew the fields, and as there are no Agricultural Banks in this Island to furnish the necessary funds to this effect, the planting of new cane, since the end of the war, has been very limited.

### **Farms for raising cattle (Potreros).**

A few farms of this kind have been reconstructed, though with the only purpose of fattening imported cattle. The improvements in home cattle cannot be noticed so far, as enough time has not elapsed since the settlement of affairs in this Island.

### **Tobacco plantations (Vegas).**

Most of these farms in the Provinces of Pinar del Río, Havana and Santa Clara have been reconstructed, and in some places of Pinar del Río and Havana, especially in the Municipality of Güira de Melena, the sprinkling process with the aid of iron pipes, Kennedy's process, although imperfectly, has been established for the purpose of securing the crops.

### **Farms for minor cultures (Estancias).**

Great activity is noticed in the reconstruction and improvements of these kinds of farms, owing to the fact that only a small amount of money is needed for the purpose, and that former *reconcentrados* are returning to their homes.

### **Horticulture.**

Only in the Municipality of Güines and in the farms on the banks of the Almendares river, in Havana, this kind of culture is carried on. In normal times, these two places almost exclusively furnish the markets of Havana with fresh vegetables.

### **Market facilities.**

The principal sugar plantations in the Province of Santiago de Cuba are located near the seashore in the Municipalities of Manzanillo, Guantánamo and Puerto Padre; and in the Province of Puerto Príncipe they are situated near Nuevitas. They use the maritime way for transportation of products.

In the Western Provinces some are located, also, near the sea-shore, utilizing the maritime way, but the greater number of them use the several railroad systems of Santa Clara, Matanzas and Havana for transporting their products. Farmers raising tobacco in the Province of Pinar del Rio use the Western Railway and some sea-ports for exporting their leaves, but, generally speaking, great difficulties are encountered owing to bad roads and to the high freight tariffs.

#### Value of crops.

In 1894, one year before the outbreak of the Revolution, the value of the principal crops was as follows:

Average value of Sugar exported.....	\$ 65,000,000.00
do do Tobacco do .....	25,000,000.00
do do Molasses and Rum.....	12,000,000.00
do do Coffee.....	1,510,000.00
do do Fruits and vegetables.....	1,150,000.00

In the present part of this year, the amount of the sugar production only, and its value, is known. Part of the tobacco crop is still in the selecting houses in the country; molasses is in manufacturing process; and the coffee gathered, although in small quantities, remains still in the coffee plantations.

In regard to the sugar production, it can be said that the crop amounted to 317,018 tons of 2,240 lbs. each. It was sold at an average price of 62½ cents, Spanish gold, per *arroba* (25 lbs.) during the months of January to October. Its total amount, reduced to American gold, was \$16,142,556.00.

As the general census and agricultural statistics are carried on in the Island of Cuba, it can be definitely learned by them the minor cultures and others of importance unknown at present.





## **INLAND TRANSPORTATION.**

### **Facilities, railroads, canals, etc.**

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Facilities for inland transportation in the island are very scarce in all the Provinces except Havana and Matanzas, and part of Santa Clara, which are well crossed by railroads. The transportation facilities of each Province are as follows:

#### **PINAR DEL RIO.**

Railroads—69.6 miles.

Highroads—75.1 miles.

The rest of the Province is well crossed by country roads in bad condition and transportation is generally difficult and costly.

It has also 25 miles of river navigation as follows:

Cuyaguatete river, 15 miles, South coast.

San Diego river, 10 miles, South coast.

#### **HAVANA.**

Railroads, 140.1 miles.

Highroads, 86.3 miles.

Well crossed by country roads in bad state, and, therefore transportation is difficult.

No river navigation.

#### **MATANZAS.**

Railroads, 287.6.

Highroads, none.

River navigation 12 miles, equally divided among the rivers "Yumuri," "San Juan," "Canimar" and "Palma," all on the North coast.

Also well crossed by country roads in a bad condition.

#### **SANTA CLARA.**

Railroads, 233.4 miles.

Highroads, none.

River navigation, 137 miles, divided as follows:

Sagua la Grande river, 21 miles. North coast.

Zaza river, 27 miles. North coast.

Jatibonico del Sur river, 9 miles. South coast.  
 Manatí river, 20 miles. South coast.  
 Guaurabo river, 9 miles. South coast.  
 San Juan River, 12 miles. South coast.  
 El Salado river, 18 miles. South coast.  
 El Damuji river, 21 miles. South coast.  
 Country roads similar to others.

### PUERTO PRINCIPE.

Railroads, 54 miles.

Highroads, none.

The rest of the Province is sufficiently crossed by country roads which, however, are in a bad state, thus making transportation difficult.

There are several small rivers, but none of them are navigable.

### SANTIAGO DE CUBA.

Railroads, 59.6 miles.

Highroads, none.

River navigation, 110 miles, as follows:

Cacoyogüin river, 4 miles. North coast.

Gibara river, 4 miles. North coast.

Sagua de Tánamo, 12 miles. North coast.

Vateras, 6 miles. North coast.

Cauto, 66 miles. South coast.

Guantánamo, 3 miles. South coast.

Sevilla, 15 miles. South coast.

In this Province roads are scarce and very hilly, making transportation very difficult. It is carried on altogether on mule back.

NOTE: Besides the means of transportation already stated, there are a great many private railroad lines, most of them narrow gauge, which are used for the transportation of cane to the different sugar mills, and naturally help inland transportation to a certain extent.

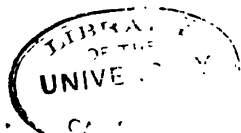
The river navigation is only for small vessels not over 8 feet draught.

From the work of the deceased geographer, Bateban Pichardo, father of the laborious and intelligent Assistant Secretary of this Department, published in 1865, under the name of "Camino de la Isla de Cuba; Itinerarios," it can be learned, with astonishment, that the extension of country roads in this Island reaches the high figure of 20,000 kilometres.

From this work we extract the following resumé worthy of stating:

#### CUBAN LEAGUES.

1. General road, which commences in Mantua, Province of Pinar del Rio, and ends in Baracoa, Province of Santiago de Cuba, with an extension of.....	342.00
2. On the Oriental and Occidental limits of the Island, one from Mantua to Cape San Antonio, Roncaldi light house, and the other from Baracoa to Maisí Point, Concha light house, with.....	41.40
	<hr/> 383.40



<i>Brought forward.....</i>	383.40
(These three roads have a total extension of 383.40 Cuban leagues, and, as it can be observed, the Island can be traveled through from end to end, that is to say, from the light-house on Cape San Antonio to the light-house on Cape Maisi.)	
27 roads, substituting the general one, with an extension of.....	258.30
629 <i>Caminos vecinales</i> with.....	4251.80
In the Island exist, therefore, 659 public roads which reach a total extension, in Cuban leagues, of.....	
	4893.50

These 4893.50 leagues are equivalent to nearly 20,748 kilometres and a half, allowing 4k. 240m. to the league, a length which would suffice to go half way around the world.

Examining the work of Pichardo, it is evident that there are not two towns, nor even two farms, which are not connected by a road, more or less wide, and, nevertheless, they have no communication at all during the rainy season, owing to the abandonment in which they have been since many years ago.

To solve the problem of giving circulation and exit to the products of the Island, it would be sufficient to repair the bad passages of these roads, to re-establish the destroyed bridges and organize afterwards a service for the maintenance of them, appointing a technical body of officers, educated to this specialty, which could be easily gathered and instructed in the several localities interested in the good traveling conditions of said roads.



## **AVAILABLE WATER POWER in the Island.**

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Water power has been very little employed in Cuba, although there exist a great many rivers and creeks of considerable capacity to supply power, but whose location and industries near by have not made them available.

The Almendares river, which passes through the outskirts of Havana on the west side, supplies the city and suburbs at present with 1,200 h. p. for a paper mill, brewery and other turbines already established of 250 h. p. each. By going higher, more power may be obtained without causing great damage to the other below. Mayabeque river in Güines, Province of Havana, was, until a few years ago, supplying power to run two sugar plantations. The water employed then is now used in irrigation.

In the San Juan river, Matanzas, there is also a turbine established to run an ice factory.

Water power is not used anywhere else in the whole Island.

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With the exception of the four large cities, Havana, Matanzas, Cienfuegos and Santiago de Cuba, which have aqueducts and obtain their water supply directly from the springs, water is generally obtained from wells, rain cisterns and directly from the rivers and creeks near by. Wells and natural springs are mostly used.

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## Principal Cities and Towns in the Different Provinces.

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### Province of Havana.

Aguacate,	La Salud,
Alquízar,	Madruga,
Bainoa,	Managua,
Batabanó,	Marianao,
Bauta,	Melena del Sur,
Bejucal,	Nueva Paz,
Calabazar,	Pipían,
Casiguas,	Quivicán,
Ceiba del Agua,	Regla,
El Cano,	San Antonio de los Baños,
Guanabacoa,	San Antonio de Río Blanco,
Guara,	San Antonio de las Vegas,
Güines,	San Felipe,
Güira de Melena,	San José de las Lajas,
Havana,	San Nicolás,
Isla de Pinos,	Santa María del Rosario,
Jaruco,	Santiago de las Vegas.
Jibacoa,	Tapaste,
La Catalina,	Vereda Nueva.

### Province of Pinar del Río.

Alonso Rojas,	Las Mangas,
Artemisa,	Los Palacios,
Bahía Honda,	Mantua,
Baja,	Mariel,
Cabañas,	Paso Real de San Diego,
Candelaria,	Pinar del Río,
Cayajabos,	San Cristóbal,
Consolación del Norte,	San Diego de los Baños,
Consolación del Sur,	San Diego de Núñez,
Dimas,	San Juan y Martínez,
Guanajay,	San Luis,
Guanc,	Santa Cruz de los Pinos,
Guayabal,	Viñales.

**Province of Matanzas.**

Alacranes (Alfonso XII.).	La Macagua,
Bolondrón,	Macuriges,
Cabezas,	Manguito,
Canasí,	Martí,
Cárdenas,	Matanzas,
Carlos Rojas,	Máximo Gómez.
Colón,	Méndez Capote,
Cuevitas,	Perico,
El Roque,	Sabanilla,
Guamacaro,	Santa Ana,
Jagüey Grande,	San José de los Ramos,
Jovellanos,	Unión de Reyes.

**Province of Santa Clara.**

Amaro,	Rancho Veloz.
Caibarién,	Ranchuelo,
Calabazar,	Remedios,
Camajuaní,	Rodas,
Camarones,	Sagua la Grande,
Cartagena,	San Antonio de las Vueltas
Casilda,	San Diego del Valle,
Ceja de Pablo,	San Fernando,
Cienfuegos,	San Juan de las Yeras.
Cumanayagua,	Sancti Spiritus,
Esperanza,	Santa Clara,
Fomento,	Santa Isabel de las Lajas,
Isabela de Sagua,	Santo Domingo,
Las Cruces,	Taguayabón,
Los Abreus,	Trinidad,
Palмира,	Tunas de Zaza,
Placetas,	Yaguajay.
Quemados de Güines,	

**Province of Puerto Príncipe.**

Arroyo Blanco,	Minas,
Ciego de Avila,	Nuevitas,
Contramaestre,	Puerto Príncipe,
Júcaro,	Santa Cruz del Sur,
Lugareño,	San Jerónimo,
Morón.	San Nicolás.

**Province of Santiago de Cuba.**

Alto Songo,	Maniabón,
Baracoa,	Manzanillo,
Bayamo,	Mayarí,
Caney,	Palma Soriano.
Campechuela,	Palmar,
Cauto del Embarcadero,	Puerto Padre,
Cristo,	Sagua de Tánamo,
El Cobre,	San Andrés,
Firmeza,	San Luis,
Gibara,	Santiago de Cuba,
Guantánamo,	Tiguabos,
Holguín,	Victoria de las Tunas,
Jiguani,	Yegüitas.



## TABLE OF DISTANCES.

FROM  HAVANA	CUBA		U. S.		U. S.		REMARKS.
	Distance by		Distance by		Distance by		
	Rail or Water		Rail	Water	Rail	Water	
TO	Rail	Water	Rail	Water	Rail	Water	
Artemisa, Cuba.....	44						
Albany, N. Y.....			1389	337	145	1350	
Army & Navy General Hospital, Ark.....			1221 *	337	1475	1350	* Via At- lanta and Memphis
Atchison, Kansas.....			1433	337	1395	1350	
Atlanta, Ga.....			603	337	876	1350	
Augusta, Me.....					388	1350	
Baltimore, Md.....			1056	337	188	1350	
Bares, Cuba.....		574					
Baracoa, Cuba.....		652					
Batabanó, Cuba.....	36						
Boston, Mass.....			1474	337	217	1350	
Buena Vista, Cuba.....	4						
Buffalo, N. Y.....					411	1350	
Cabañas, Cuba.....		54					
Caibarién, Cuba.....	225	240					
Cárdenas, Cuba.....	106	99					
Charleston, S. C., *.....			504	337	739	1350	* 738 Miles direct by water.
Chattanooga, Tenn.....			741	337	847	1350	
Chicago, Ill.....			1334	337	912	1350	
Ciego de Avila, Cuba, *.....							* 348 R. & W
Cienfuegos, Cuba.....	190						
Cincinnati, Ohio.....			1079 *	337	757	1350	* Via Atlanta.
Cleveland, Ohio.....			1323	337	584	1350	
Columbus, Ohio.....			1195	337	637	1350	
Cojimar, Cuba.....	4						

FROM HAVANA	CUBA distance by Rail or Water		U. S. Distance by Rail & Water Via Port Tampa.		U. S. Distance by Rail & Water Via New York.		REMARKS
	Rail	Water	Rail	Water	Rail	Water	
Consolación del Sur, Cuba .....	96						
Denver, Col. ....			2126 *	337	1937	1350	*Via Atlanta.
Des Moines, Ia. ....			1539 *	337	1268	1350	*Via Atlanta.
Detroit, Michigan. ....			1340 *	337	662	1350	
Dyea, Alaska .....			3571 *	1456	3149	2469	*Via Chi- cago and Seattle.
Empalme, Cuba. ....	40						
Ft. Leavenworth, Kan			1515 *	337	1377	1350	*Via Jack- sonville, Fla.
Gibara, Cuba .....		508					
Guanabacoa, Cuba. ....	3						
Guanajay, Cuba. ....	35						
Güines, Cuba .....	48						
Harrisburg, Pa. ....			1141	337	195	1350	
Holguín, Cuba .....	20	508					
Indianapolis, Ind. ....			1160 *	337	825	1350	*Via Jack- sonville, Fla.
Jacksonville, Fla. ....			249	337	995	1350	
Jiguaní, Cuba, * .....							*549 R. & W.
Jovellanos, Cuba .....	88						
Júcaro, Cuba* .....							*331 R. & W.
Kansas City, Mo. ....			1486 *	337	1342	1350	*Via Jack- sonville.
Key West, Fla. ....		87					
La Union, Cuba. ....	78						
Little Rock, Ark. ....			1137 *	337	1410	1350	*Via Jack- sonville.
Manila, P. I. ....					3229	8648 *	*Via Na- gasaki, Japan.
Manzanillo, Cuba. ....		492 *					*Via Ba- tabano.
Marianao, Cuba. ....	6						
Maricel, Cuba. ....	44						
Matanzas, Cuba. ....	55	60					
Mayarí, Cuba. ....		583					
Memphis, Tenn. ....			1021 *	337	1157	1350	*Via Atlanta. Ga.

FROM HAVANA	CUBA Distance by		U. S. Distance by Rail & Water via Port Tampa.		U. S. Distance by Rail & Water via New York.		REMARKS.
	Rail	Water	Rail	Water	Rail	Water	
TO	Rail	Water	Rail	Water	Rail	Water	
Miami, Fla.....		240					
Milwaukee, Wis.....			1419*	337	997	1350	*Via Jack-
Nashville, Tenn.....			892*	337	998	1350	sonville.
New York, N. Y.....			1244*	337		1350	*Via "
Nuevitas, Cuba.....		398					
Ogden, Utah.....			2653*	337	2435	1350	*Via "
Omaha, Neb.....			1623*	337	1405	1350	*Via "
Oswego, N. Y.....			1436*	337	229	1350	*Via "
Palma Soriano, Cuba,*							*713 R. & W.
Paso Caballo, Cuba...	193						
Philadelphia, Pa.....			1153*	337	91	1350	*Via Jack-
Pinar del Rio, Cuba...	110						sonville.
Pittsburg, Pa.....			1318*	337	444	1350	*Via Jack-
Port Tampa, Fla.....		337					sonville.
Portland, Oregon.....			3442*	337	3224	1350	*Via Jack-
Puerto Padre, Cuba...		464					sonville.
Puerto Príncipe.....	45	398					
Raleigh, N. C.....			787	337	523	1350	
Richmond, Va.....			886	337	343	1350	
Riley, Ft., Kans.....			1621	337	1477	1350	
Rincon, Cuba.....	14						
Sagua la Grande, Cuba	173						
San Antonio, Texas...			1442	337	1918	1350	
San Felipe, Cuba.....	27						
San Francisco, Cal.....			3352	337	3229	1350	
San Luis, Cuba.....	62*	656					*Via Ba-
Sancti Spiritus.....	36*	276					tabanó.
Santa Cruz, Cuba.....	36*	389					*Via "
Santiago, Cuba.....	36*	656					*Via "
Savannah, Ga.*.....			389	337	840	1350	*Via "
St. Louis, Mo.....			1210	337	1065	1350	*705 direct by water.
St. Paul, Minn.....			1744	337	1322	1350	
Trinidad, Cuba.....	36*	202					*Via Ba-
Tunas de Zaza, Cuba..	36*	242					tabanó.
Vedado, Cuba.....	3						*Via "
Villa Clara, Cuba.....	176						
Washington, D. C.....			1016	337	228	1350	
Wilmington, Del.....			1126	337	118	1350	



## RAILROADS OF CUBA.

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### LIST OF STATIONS AND DISTANCES.

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#### UNITED RAILWAYS OF HAVANA.

##### *Havana and Batabanó Line.*

HAVANA TO	MILES
Carlos III.....	1 $\frac{1}{4}$
Pueblo Nuevo.....	2
Ciénaga.....	3 $\frac{1}{2}$
Mordazo.....	4 $\frac{1}{4}$
García.....	7 $\frac{1}{4}$
Almendares.....	7 $\frac{1}{2}$
Toledo.....	8
Ferro.....	10
Aguada.....	11 $\frac{1}{4}$
Rincón.....	14
Cruce del Oeste.....	15
Bejucal.....	17 $\frac{1}{2}$
Buenaventura.....	21 $\frac{1}{2}$
Quivicán.....	23 $\frac{3}{4}$
San Felipe.....	27
Pozo Redondo.....	31 $\frac{1}{2}$
Batabanó.....	36

##### *Havana and Guanajay Line.*

(Branches off from above line at Rincón, 14 miles from Havana.)

HAVANA TO	MILES
Govea.....	18
San Antonio.....	23
Seborucal.....	27
Saladrigas.....	28
Ceiba del Agua.....	31
Guanajay.....	35

*Havana and Unión Line.**(Branches from Batabanó Line at San Felipe, 27 Miles from Havana.)*

HAVANA TO	MILES.
Durán.....	29
Guara.....	33½
Melena.....	37
Palenque.....	41
La Casaboria.....	42
Güines.....	42¾
Río Seco.....	49
San Nicolás.....	53
Vegas.....	59
Palos.....	64
Lima.....	68
Bermeja.....	71½
La Unión.....	77½
Cañas.....	83¾

*Unión and Cañas Line.**(Branches from Unión.)*

Quevedo.....	2½
Alfonso XII or "Alacranes".....	4
Cañas.....	6½

*Güines to Empalme Line.*

GÜINES TO	MILES.
Catalina.....	8
Robles.....	13¾
Empalme.....	22
Xenes.....	24½
Matanzas.....	37

Branch from Sabana de Robles to Madruga..... 5

*Havana and Jovellanos Line.**(Commences at Regla, Havana Harbor.)*

REGLA TO	MILES.
Minas.....	9
Campo Florido.....	13¾
San Miguel.....	17½
Jaruco.....	24
Bainoa.....	28
Aguate.....	36½
Empalme.....	38
Ceiba Mocha.....	43¾
Acosta.....	44
Benavides.....	46
Junction with La Unión Branch of Matanzas R. R.....	53
Matanzas.....	55
Gelpi.....	58
Guanábana.....	61½
Ibarra.....	63½

REGLA TO	MILES.
Caobas.....	67½
Limonar.....	69½
Sumidero.....	74
Coliseo.....	77½
Tosca.....	80
Madan.....	80½
Jovellanos.....	88¼

### WESTERN RAILWAY OF HAVANA.

HAVANA TO	MILES.
Pinos.....	4½
Arroyo Naranjo.....	7½
Calabazar.....	8
Rancho Boyeros.....	9½
Santiago de las Vegas.....	12
Rincón.....	13¾
Salud.....	19¾
Gabriel.....	24
Güira de Melena.....	27¾
Alquízar.....	32½
Dagame.....	37
Cañas.....	40½
Artemisa.....	43½
Mangas.....	48½
Punta Brava.....	51
Candelaria.....	57
San Cristóbal.....	62½
Taco-Taco.....	69
Paso Real.....	83½
Herradura.....	89½
Consolación del Sur.....	94½
Puerta de Golpe.....	100
Las Ovas.....	103¾
Pinar del Río.....	109½

### MARIANAO RAILROAD.

HAVANA, CONCHA STATION TO	MILES.
Tulipán.....	1¼
Cerro.....	2
Puentes Grandes.....	3
Ceiba.....	4
Buena Vista.....	5½
Quemados.....	6
Samá or Marianao.....	6¼
Playa de Marianao.....	9

### HAVANA TERMINAL RAILWAY.

*(Military Line.)*

Havana Harbor vía Tricornia.....	6
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**REGLA AND GUANABACOA RAILROAD.**

	MILES.
Regla to Guanabacoa.....	2½

**MATANZAS RAILROAD.**

MATANZAS TO	MILES.
Gelpí.....	4½
Pedroso.....	5¼
Guanábana.....	7½
Cidra.....	12½
Torriente.....	13¾
Sabanilla.....	17
Crimea.....	18¾
Unión.....	21¾
Jagüey Grande.....	22
Murga.....	29
Güira.....	31½
Montalvo or Navajas.....	36
Corral Falso.....	38½
La Isabel.....	44½
Cuevitas.....	58
Guareiras.....	64
Carrillo.....	69½
Cumanayagua.....	71
Esles.....	85

***Navajas and Jagüey Branch.***

	MILES.
Montalvo to Murga.....	29

***San Gonzalo and Esperanza Branch.***

	MILES.
San Gonzalo to Esperanza.....	12½

***Unión and Conchita Branch.***

	MILES.
Unión to Conchita.....	3¾

***Güira and Nieves Branch.***

	MILES.
Güira to Nieves.....	11¼

***Navajas to Atrevido Branch.***

	MILES.
Navajas to Atrevido.....	11¼

***Guareiras and Colón Branch.***

	MILES.
Guareiras to Colón.....	6¼

***La Rosa and Caimital Branch.***

	MILES.
La Rosa to Caimital.....	6¼

***Guareiras and Desquite Branch.***

	MILES.
Guareiras to Desquite.....	7½



**THE CARDENAS-JUCARO RAILROAD SYSTEM.***Cárdenas, Santo Domingo and  
Santa Clara Line.*

CÁRDENAS TO	MILES.
Contreras.....	7½
Cimarrones.....	13¾
Jovellanos.....	16¾
Quintana.....	23½
Perico.....	28½
Retamal.....	33½
Colón.....	36½
Agüica.....	43
Macagua.....	48½
San Pedro.....	57
Alvarez.....	62½
Mordazo.....	67½
Manacas.....	75½
Santo Domingo.....	81½
Jicotea.....	89
Esperanza.....	96

*Jovellanos-Montalvo Line.*

JOVELLANOS TO	MILES
Medina.....	7
Montalvo.....	10½

*Cárdenas-Yaguaramas Line.*

CÁRDENAS TO	MILES
San Antón.....	11
Recreo.....	14
Altamisal.....	21½
Pijuán.....	25
Retamal.....	28
Gispert.....	33
Guarciras.....	38½
Calimete.....	42
Amarillas.....	47
Aguada.....	54
R. Campiña.....	60
Yaguaramas.....	67

*Recreo-Itabo Line.*

RECREO TO	MILES.
Sabanilla de la Palma.....	4
Hato Nuevo.....	9½
Itabo.....	12½

*Altamisal-Macagua Line.*

ALTAMISAL TO	MILES.
Banagüica.....	8¾
San José de los Ramos ....	13½
Macagua.....	20

## CUBAN CENTRAL RAILWAYS, Limited.

### *Cienfuegos-Santa Clara Line.*

CIENFUEGOS TO	MILES.
Palмира.....	9
Arrieta.....	13
Camaronés.....	15½
Cruces.....	19¼
Angelita.....	23¼
Ranchuelo.....	27½
Esperanza.....	33½
Santa Clara.....	42½

### *Sagua la Grande Railroad.*

CONCHA (La Boca, La Isabela seaport) TO	MILES.
Sagua la Grande.....	11
Sitiecito.....	14½
Rodrigo.....	23½
Santo Domingo.....	33
San Marcos.....	36¼
Las Lajas.....	43
Las Cruces.....	48½

### *Sitiecito-Encrucijada Line.*

SITIECITO TO	MILES.
Sitio Grande.....	4½
Cifuentes.....	9
Mata.....	17
Encrucijada.....	21½
Vega Alta.....	27
Quinta.....	31¼
Camajuaní.....	35

### *Sagua-Chinchila Line.*

(Narrow Gauge.)

	MILES.
Sagua la Grande to Chinchila.....	4½

### *United Railroads of Caibarien.*

CAIBARIEN TO	MILES.
Remedios.....	5
Taguayabón.....	13
Vega de Palmas.....	16
Camajuaní.....	18½
Salamanca.....	23
San Andrés.....	29
Placetas.....	33

**United R. R. Caibarién.***(Narrow Gauge.)*

CAIBARIÉN TO	MILES.
Rojas.....	5
Viñas.....	7½
Zulueta.....	13
Placetás.....	22½

**SAN CAYETANO-VIÑALES RAILROAD.***(Narrow Gauge.)*

	MILES.
San Cayetano (Seaport) to Viñales (only stations Dolores and Soledad).....	15

**TRINIDAD RAILROAD.**

CASILDA TO	MILES.
Trinidad.....	4
Fernández.....	22

**TUNAS AND SANCTI SPIRITUS RAILROAD.**

TUNAS DE ZAZA TO	MILES.
Zaza.....	5½
Guasimal.....	10
Casariago.....	15½
Jarao.....	18¼
Valle.....	24¼

**JUCARO-MORON RAILROAD.***(Military Line.)*

JUCARO TO	MILES.
Ciego de Avila.....	16½
Piedras.....	28½
Morón.....	36
Estero.....	40

**PUERTO PRINCIPE-NUEVITAS RAILROAD.**

NUEVITAS TO	MILES.
Buena Vista.....	7½
Ramblazo.....	17
Aguada Josefina.....	22½
Minas.....	24½
Altagracia.....	31½
Puerto Principe.....	45

**GUANTANAMO RAILROAD.**

CAIMANERA TO	MILES.
Cuatro Caminos.....	3
Jamaica.....	6¼
Soledad.....	10½

**GIBARA-HOLGUIN RAILROAD.**

GIBARA TO	MILES.
Cantimplora.....	6¼
Auras.....	9½
Agua Clara.....	15
Holguin.....	20

**SANTIAGO RAILROAD.**

SANTIAGO DE CUBA TO	MILES.
El Caney.....	2
Bonito.....	5½
El Cristo.....	10
Morón.....	12½
Enramadas.....	21
San Luis.....	26

***Morón-Sabanilla Branch.***

MORÓN TO	MILES.
Alto Songo.....	4
Socorro.....	6
Sabanilla.....	7

***Aggregate Length of the Railroads of Cuba.***

	MILES.
United Railways of Havana.....	246½
Western Railroad.....	109½
Marianao and Havana R'y, Lmt'd.....	9
Havana Terminal Railway (Military Line).....	6
Matanzas Railroad.....	172¾
Cárdenas and Júcaro Railroad System.....	206
Cuban Central Railroads, Lmt'd.....	186
Trinidad Railroad.....	22
San Cayetano and Viñales Railroad.....	15
Tunas and Sancti Spiritus Railroad.....	24¼
Júcaro-Morón Railway (Military Line).....	40
Puerto Principe-Nuevitas Railroad.....	45
Guantánamo Railroad.....	10½
Gibara-Holguin Railroad.....	9½
Santiago Railroad.....	33

**TOTAL..... 1135**

## TELEGRAPH STATIONS.

The following Military telegraph offices are in operation by the Signal Corps in Cuba. These offices transact Government business free of charge. Commercial business is handled at local rates hereinafter designated. A message of less than ten words is rated and charged as a ten-word message and the address and signature are included. Where a message passes first over a local line, second over a foreign line, and third over a local line, two local rates will be charged.

### TARIFF PER WORD OF COMMERCIAL MESSAGES OVER MILITARY TELEGRAPH LINES.

From Station in Provinces of	To Stations in Provinces of					
	Pinar del Rio	Havana	Matanzas	Santa Clara	Puerto Príncipe	Santiago
	Cts.	Cts.	Cts.	Cts.	Cts.	Cts.
Pinar del Rio.....	2	2	2	3	4	5
Havana.....	2	2	2	2	3	4
Matanzas.....	2	2	2	2	2	3
Santa Clara.....	3	2	2	2	2	2
Puerto Príncipe.....	4	3	2	2	2	2
Santiago.....	5	4	3	2	2	2

STATION.	PROVINCE.
Abreus .....	Santa Clara.
Aguacate.....	Havana.
Alfonso XII [Alacranes].....	Matanzas.
Artemisa. ....	Pinar del Río.
Baracoa.....	Santiago.
Batabanó.....	Havana.
Bayamo.....	Santiago.
Bejucal.....	Havana.

Caiharién .....	Santa Clara.
Camajuaní .....	Santa Clara.
Cárdenas .....	Matanzas.
Cienfuegos .....	Santa Clara.
Ciego de Avila .....	Puerto Príncipe.
Cobre .....	Santiago.
Colón .....	Matanzas.
Contra Maestre .....	Puerto Príncipe.
Consolación del Sur .....	Pinar del Río.
Corralillo .....	Santa Clara.
Cruces .....	Santa Clara.
El Cristo .....	Santiago.
Gibara ....	Santiago.
Guáimaro .....	Puerto Príncipe.
Guanajay .....	Pinar del Río.
Guanabacoa .....	Havana.
Guantánamo .....	Santiago.
Guaracabulla .....	Santa Clara.
Güines .....	Havana.
Güira de Melena .....	Havana.
Havana .....	Havana.
Holguín .....	Santiago.
Isabela de Sagua .....	Santa Clara.
Jaruco .....	Havana.
Jiguani .....	Santiago.
Jovellanos .....	Matanzas.
Júcaro .....	Puerto Príncipe.
Limonar .....	Matanzas.
Lugareño .....	Puerto Príncipe.
Macagua .....	Matanzas.
Madruga .....	Havana.
Manzanillo .....	Santiago.
Mariel .....	Pinar del Río.
Matanzas ...	Matanzas.
Mayarí Abajo .....	Santiago.
Minas .....	Puerto Príncipe.
Morón .....	Puerto Príncipe.
Nuevitas .....	Puerto Príncipe.
Palma Soriano .....	Santiago.
Pelayo .....	Santa Clara.
Pinar del Río .....	Pinar del Río.
Placetas .....	Santa Clara.
Puerto Padre .....	Santiago.
Puerto Príncipe .....	Puerto Príncipe.
Quemados .....	Havana.
Quemados de Güines .....	Santa Clara.

STATION.	PROVINCE.
Rancho Veloz.....	Santa Clara.
Regla.....	Havana.
Remedios.....	Santa Clara.
Rincón.....	Havana.
Rodas.....	Santa Clara.
Sagua de Tánamo.....	Santiago.
Sagua la Grande.....	Santa Clara.
San Antonio de los Baños.....	Havana.
San Cristóbal.....	Pinar del Río.
San Gerónimo.....	Puerto Príncipe.
San Juan y Martínez.....	Pinar del Río.
San Luis.....	Pinar del Río.
San Luis.....	Santiago.
Santiago.....	Santiago.
Santa Cruz del Sur.....	Puerto Príncipe.
Santa Clara.....	Santa Clara.
Santo Domingo.....	Santa Clara.
Sancti Spíritus.....	Santa Clara.
Sierra Morena.....	Santa Clara.
Songo.....	Santiago.
Tunas de Zaza.....	Santa Clara.
Unión.....	Matanzas.
Victoria de las Tunas.....	Santiago.
Viñales.....	Pinar del Río.
Vueltas.....	Santa Clara.
Yaguajay.....	Santa Clara.

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## List of railroad telegraph stations in the Provinces of Pinar del Rio, Havana, Matanzas and Santa Clara.

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Official telegrams can be sent to any of these points, as the railroads are required to transmit all official telegrams. Telegrams destined to points on the United Railways of Havana, or the Western Railroad of Havana, where there are no military telegraph offices, should be sent direct to the office of each railroad company. Telegrams for all other points should be sent to the military telegraph office in Havana, from which point they will be forwarded to the proper transfer offices, as follows:

All telegrams for points on the Matanzas & Sabanilla R. R. must be transferred at Matanzas.

For points on the Cárdenas & Júcaro R. R. must be transferred at Jovellanos.

For points on the Cuban Central R. R. must be transferred at Sagua la Grande.

For points on the Sancti Spíritus & Tunas de Zaza R. R. must be transferred at Sancti Spíritus.

### United Railways of Havana.

STATION.	PROVINCE.
Aguacate.....	Havana.
Batabanó.....	Havana.
Bermeja.....	Havana.
Bainoa.....	Havana.
Campo Florido.....	Havana.
Ceiba del Agua.....	Havana.
Ceiba Mocha.....	Matanzas.
Ciénega.....	Havana.
Coliseo.....	Matanzas.
Durán.....	Havana.

STATION.	PROVINCE.
Empalme .....	Havana.
Guanajay .....	Pinar del Río.
Guanábana .....	Matanzas.
Güines .....	Havana.
Güira de Melena .....	Havana.
Havana .....	Havana.
Jaruco .....	Havana.
Jovellanos .....	Matanzas.
Limonar .....	Matanzas.
Melena .....	Havana.
Madruga .....	Havana.
Matanzas .....	Matanzas.
Minas .....	Havana.
Mordazo .....	Havana.
Palenque .....	Havana.
Palos .....	Havana.
Pozo Redondo .....	Havana.
Quivicán .....	Havana.
Regla .....	Havana.
Rincón .....	Havana.
Río Seco .....	Havana.
Robles .....	Havana.
San Felipe .....	Havana.
San Nicolás .....	Havana.
Toledo .....	Havana.
Unión .....	Matanzas.
Vegas .....	Havana.
Xenes .....	Havana.

### Cárdenas and Júcaro Railroad.

STATION.	PROVINCE.
Aguada de los Pasajeros .....	Santa Clara.
Agüica .....	Matanzas.
Álvarez .....	Santa Clara.
Altamisal .....	Matanzas.
Amarillas .....	Santa Clara.
Banagüises .....	Matanzas.

STATION.	PROVINCE.
Calimete.....	Matanzas.
Cárdenas.....	Matanzas.
Cimarrones.....	Matanzas.
Colón.....	Matanzas.
Contreras.....	Matanzas.
Esperanza.....	Santa Clara.
Guareiras.....	Matanzas.
Hato Nuevo.....	Matanzas.
Itabo.....	Matanzas.
Jicotea.....	Santa Clara.
Jovellanos.....	Matanzas.
Macagua.....	Matanzas.
Manacas.....	Santa Clara.
Montalvo.....	Matanzas.
Mordazo.....	Santa Clara.
Perico.....	Matanzas.
Pijuán.....	Matanzas.
Quintana.....	Matanzas.
Real Campiña.....	Santa Clara.
Recreo.....	Matanzas.
Retamal.....	Matanzas.
Santo Domingo.....	Santa Clara.
San Antón.....	Matanzas.
San José Ramos.....	Matanzas.
San Pedro.....	Matanzas.
Yaguaramas.....	Santa Clara.

### Matanzas & Sabanilla Railroad.

STATION.	PROVINCE.
Baro.....	Matanzas.
Bolondrón.....	Matanzas.
Cabezas.....	Matanzas.
Cidra.....	Matanzas.
Colón.....	Matanzas.
Corral Falso.....	Matanzas.
Cuevitas.....	Matanzas.
Cumanayagua.....	Matanzas.
Guanábana.....	Matanzas.
Guareiras.....	Matanzas.
Güira.....	Matanzas.

STATION.	PROVINCE.
Isabel.....	Matanzas.
Jagüey Grande.....	Matanzas.
León Crespo.....	Matanzas.
Manguito.....	Matanzas.
Matanzas.....	Matanzas.
Navajas.....	Matanzas.
Sabanilla.....	Matanzas.
Torriente.....	Matanzas.
Unión.....	Matanzas.

### Western Railroad of Havana.

STATION.	PROVINCE.
Alquízar .. .	Pinar del Río.
Artemisa .. .	Pinar del Río.
Calabazar .. .	Havana.
Candelaria .. .	Pinar del Río.
Consolación del Sur.....	Pinar del Río.
Gabriel.....	Havana.
Güira.....	Havana.
Havana .....	Havana.
Herradura .....	Pinar del Río.
Ovas .....	Pinar del Río.
Palacios .....	Pinar del Río.
Paso Real.....	Pinar del Río.
Pinar del Río.....	Pinar del Río.
Pinos .....	Havana.
Rincón .....	Havana.
Salud (La).....	Havana.
San Cristóbal.....	Pinar del Río.
Santiago.....	Havana.
Taco Taco .....	Pinar del Río.

### Cuban Central Railroad.

STATION.	PROVINCE.
Arriete.....	Santa Clara.

STATION.	PROVINCE.
Banes.....	Santa Clara.
Caibarién.....	Santa Clara.
Calabazar.....	Santa Clara.
Camajuaní.....	Santa Clara.
Cienfuegos.....	Santa Clara.
Cifuentes.....	Santa Clara.
Cruces.....	Santa Clara.
Esperanza.....	Santa Clara.
Encrucijada.....	Santa Clara.
Hormiguero.....	Santa Clara.
Isabela.....	Santa Clara.
Lajas.....	Santa Clara.
Mata.....	Santa Clara.
Palmira.....	Santa Clara.
Parque Alto.....	Santa Clara.
Placetas.....	Santa Clara.
Quinta.....	Santa Clara.
Ranchuelo.....	Santa Clara.
Remedios.....	Santa Clara.
Rodrigo.....	Santa Clara.
Sagua la Grande.....	Santa Clara.
Salamanca.....	Santa Clara.
Santa Clara.....	Santa Clara.
Santo Domingo.....	Santa Clara.
San Andrés.....	Santa Clara.
San Juan.....	Santa Clara.
San Marcos.....	Santa Clara.
Sitio Grande.....	Santa Clara.
Sitiecito.....	Santa Clara.
Taguayabón.....	Santa Clara.
Vega Alta.....	Santa Clara.
Vega de Palma.....	Santa Clara.
Viñas.....	Santa Clara.
Zulueta.....	Santa Clara.

#### Sancti Spiritus & Tunas de Zaza.

STATION.	PROVINCE.
Casariego.....	Santa Clara.
Guasimal.....	Santa Clara.

STATION.	PROVINCE.
Jaraque.....	Santa Clara.
Sancti Spiritus .....	Santa Clara.
Tunas de Zaza.....	Santa Clara.
Zaza.....	Santa Clara.

### Means of travel between Posts and nearest Railroad Stations.

BARACOA, Seaport, Post and Tel. Offices. No R. R. Population about 15,000.	
BAYAMO, Post and Tel. Offices, 80 miles from Santiago, 25 miles from Manzanillo. Population 15,000. No Railroad.	
CAIBARIÉN, Seaport, R. R., Post and Tel. Offices. Population about 5,000.	
CÁRDENAS, Seaport, R. R., Post and Tel. Offices, 50 miles from Matanzas, 86 miles from Havana. Population about 30,000.	
CIEGO DE AVILA, R. R., Post and Tel. Offices, 16½ miles from Júcaro, 65 miles from Puerto Principe, reached only by R. R. from Júcaro and by wagon from Puerto Principe.	
CIENFUEGOS, Seaport, R. R., Post, Tel. and Cable Offices, 189 miles from Havana. Population about 60,000.	
COLUMBIA BKS., R. R. Station Quemados, Post and Tel. Offices, 6 miles from Havana.	
EL CANEY, R. R., Post and Tel. Offices, 2 miles from Santiago.	
EL CRISTO, R. R., Post and Tel. Offices, 10 miles from Santiago.	
GUANAJAY, R. R., Post and Tel. Offices, 35 miles from Havana, Population about 5,000.	
GUANTÁNAMO, Seaport, Post, Tel. and Cable Offices, R. R., 6 miles from Caimanera. Population about 10,000.	
HAYANA, { Batteries Nos 3, 4, and 5. Cabaña, Pirotecnia Militar, Santa Clara.	{ Principal Seaport, R. R. Post, Cable and Tel. Offices. Population about 250,000.
HOLGUÍN, R. R., Post and Tel. Offices, 20 miles from Gibara, 110 miles from Santiago. Population about 12,000.	
MANZANILLO, Seaport, Post, Tel. and Cable Offices. Population about 10,000.	
MATANZAS, Seaport, R. R., Post and Tel. Offices, 45 miles from Havana. Population about 50,000.	

- MAYARÍ, Seaport, Post and Tel. offices. 50 to 80 miles to Holguín, Baracoa and Santiago. No railroad.
- NUEVITAS, Seaport, R. R., Post and Tel. Offices, 45 miles from Puerto Príncipe. Population about 4,000.
- PASO CABALLO, 6½ miles from Cienfuegos, Post and Tel. Offices.
- PINAR DEL RIO, R. R., Post and Tel. Offices, 109½ miles from Havana. Population about 30,000.
- PLACETAS, R. R., Post and Tel. Offices, 22½ miles from Caibarién.
- PUERTO PRÍNCIPE, R. R., Post and Tel. Offices, 45 miles from Nuevitas. Population about 40,000.
- SAGUA LA GRANDE, R. R., Post and Tel. Offices, 90 miles from Cárdenas, 186 miles from Havana, 11 miles from seaport of Isabela de Sagua. Population about 18,000.
- SANCTI SPIRITUS, R. R., Post and Tel. Offices, 24 miles from seaport of Tunas. Population about 17,550.
- SANTA CLARA, R. R., Post and Tel. Offices, 42½ miles from Cienfuegos. Population about 32,000.
- SANTIAGO, Morro Castle. { Seaport.  
R. R., Post, Cable and Tel. Offices.  
Population about 70,000.
- SAN LUIS, R. R., Post and Tel. Offices, 26 miles from Santiago.
- SONGO, R. R., Post and Tel. Offices, about 16 miles from Santiago.
- TRINIDAD, R. R., Post and Tel. Offices. Population about 18,000.

[REDACTED]

[REDACTED]



**DIVISION OF CUBA.**

**MAJOR GENERAL LEONARD WOOD, U.S. VOLUNTEERS,**

**COMMANDING.**

**HEADQUARTERS: HAVANA, CUBA.**

**PERSONAL STAFF:**

1st Lieut. EDWARD C. BROOKS, 6th Cavalry, Aide-de-Camp.  
2d Lieut. M. E. HANNA, 2d Cavalry, Aide-de-Camp.

**CHIEF OF STAFF:**

Brigadier General ADNA R. CHAFFEE, U. S. Volunteers.

**PERSONAL STAFF:**

1st Lieut. R. B. HARPER, 7th Cavalry, Aide-de-Camp.

**DIVISION STAFF:**

Lieut. Col. WILLIAM V. RICHARDS, A. A. G., U. S. V., Adjutant General.  
Major JAMES B. HICKEY, A. A. G., U. S. V., Assistant Adjutant General.  
Lieut. Col. CHARLES F. HUMPHREY, Deputy Quartermaster General, U. S. A., Chief Quartermaster.  
Major OLIVER E. WOOD, C. S., U. S. V., Chief Commissary.  
Lieut. Col. CALVIN DEWITT, Deputy Surgeon General, U. S. A., Chief Surgeon.  
Major FRANCIS S. DODGE, Pay Dept., U. S. A., Chief Paymaster.  
Major W. M. BLACK, C. E., Chief Engineer.  
Major EDGAR S. DUDLEY, Judge Advocate, U. S. V., Judge Advocate.  
Colonel G. H. BURTON, Inspector General, U. S. A., Inspector General.  
Captain ORMOND M. LISSAK, Ord. Dept., U. S. A., Chief Ord. Officer.  
Colonel HENRY H. C. DUNWOODY, Signal Corps, U. S. A., Chief Signal Officer.  
Major TASKER H. BLISS, Subs. Dept. U. S. A., Chief of Customs Service.  
Major EUGENE F. LADD, Q. M., U. S. V., Treasurer of the Island.  
Major ROBERT H. ROLFE, Inspector General, U. S. V., Assistant to the Inspector General.  
Major DAMASO T. LAINE, Surgeon, U. S. V., Assistant to the Chief Surgeon, Attending Surgeon.

Captain FRED M. PAGE, Porto Rican Battalion of Infantry, attached.  
A. A. Surgeon CHAS. W. BARTLETT, U. S. A., Attending Surgeon to  
Q. M. Employees.

#### GENERAL STAFF OFFICERS,

Not reported elsewhere.

#### MEDICAL SUPPLY DEPOT.

Major M. C. WYETH, Med. Dept., U. S. A., in charge.

#### MILITARY HOSPITAL No. 1.

Major W. F. CARTER, Med. Dept., U. S. A., commanding.  
Major R. ECHEVERRIA, Surgeon, U. S. V.,  
1st Lieut. C. R. DARNALL, Med. Dept., U. S. A., } On duty at Hospital.  
A. A. Surg. A. AGRAMONTE, U. S. A.,  
A. A. Surg. R. P. AMES, U. S. A.,

#### VOLUNTEER SIGNAL CORPS.

Captain E. B. IVES, U. S. V., charge of Telegraph Office, Disbursing  
Officer, A. A. Q. M.

#### QUARTERMASTER'S DEPARTMENT.

Major C. B. BAKER, Q. M., U. S. V., Assistant to the Chief Quarter-  
master, Depot Quartermaster.  
Major W. J. WHITE, Q. M., U. S. V., Assistant to the Chief Quarter-  
master, charge of Clothing Depot, Marianao.  
Captain D. E. MCCARTHY, A. Q. M., U. S. A., Assistant in the office  
of the Chief Quartermaster.  
Captain W. B. BARKER, A. Q. M., U. S. V., Depot Quartermaster.  
Cienfuegos.

#### SUBSISTENCE DEPARTMENT.

Captain P. C. DEMING, C. S., U. S. V., Depot Commissary, Triscornia.

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L	M.	N.	O.
cetas.....	Matanzas.....		
umbia Bks.....	Columbia Bks.....		
rto Príncipe....	Puerto Príncipe....		
amo.....	Bayamo.....		
aña Havana..	Battery No. 4, Havana.	Santa Clara, Battery Havana.	Battery No. 5, Havana.
unajay Bks.....	Guanajay Bks.....		
barién.....	Paso Caballo.....		
Sheridan, Ills..	Ft. Sheridan, Ills..		
Snelling, Minn.	Ft. Snelling, Minn.		
Crook, Nebr...	Ft. Crook, Nebr...		

Ciego de Avila.....	90	Pinar del Río Barracks. 74
Columbia Barracks. 73, 74,	75	Pirotecnia Militar.....
Drum Barracks .....	69	Placetas, Barracks.....
El Caney.....	89	Puerto Principe..... 88
El Cristo.....	86	Rowell Barracks.....
Guanajay Barracks.....	77	Sancti-Spiritus Barracks...
Guantánamo.....	88	San Luis.....
Hamilton Barracks.....64,	65	Santa Clara Barracks.....
Holgufn.....	88	Santa Cristina Barracks...
La Popa Barracks.....	67	Sagua Barracks.....
Manzanillo.....	87	Songo.....
Mayarí.....	89	Vedado, Havana, 21, 50
Morro Castle, Santiago.....	86	Street.....
Nuevitas.....	91	

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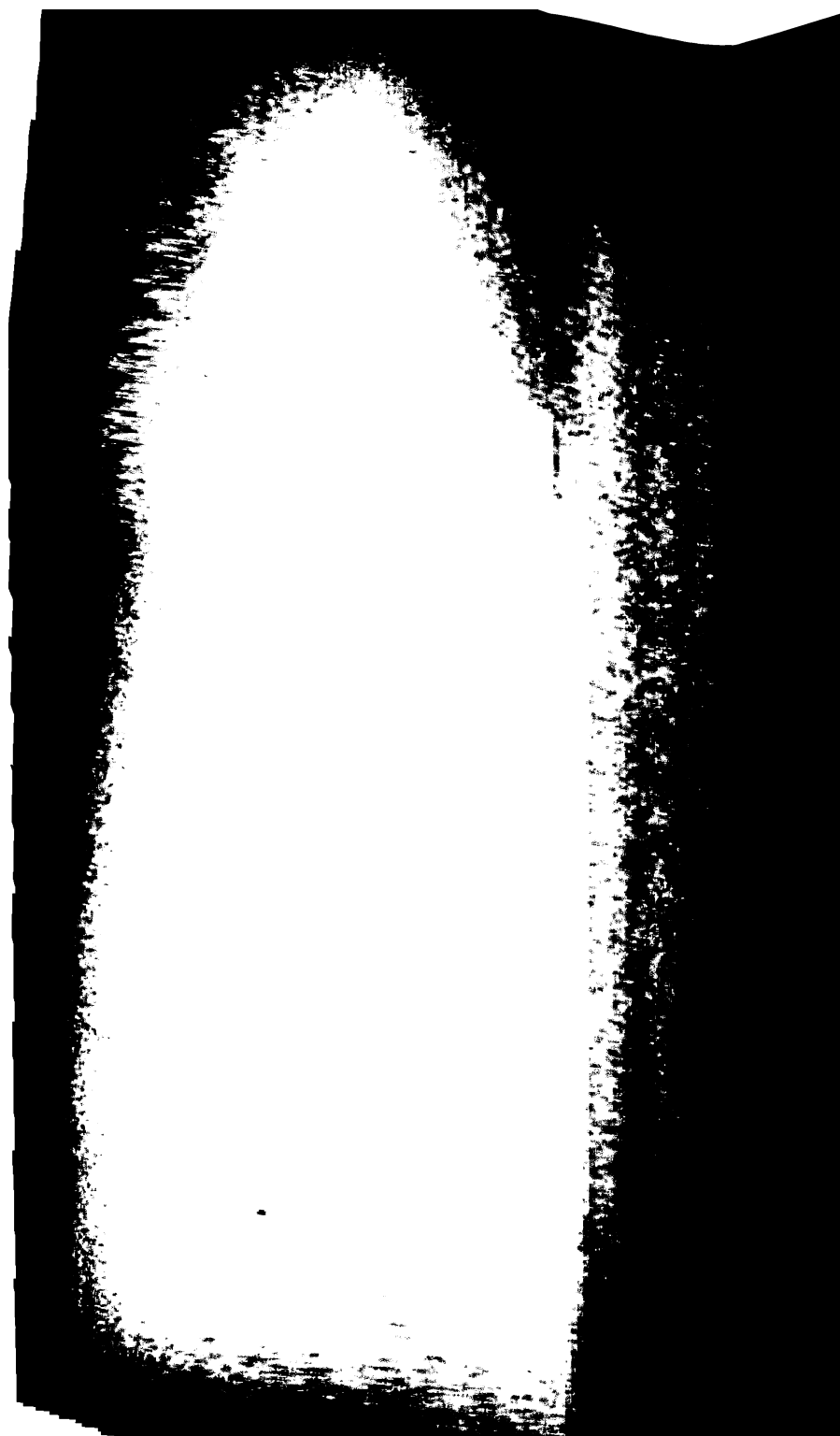
This roster is published for the transaction of business in the division. Errors to be reported to the Adjutant General of the Division.

BY COMMAND OF MAJOR GENERAL WOOD:

W. V. RICHARDS,

Adjutant General

Hdqrs. Div. Cuba.  
January, 1900.



	Page.
CHAPTER XXII.—Special rules for the warehousing of imported goods and their transportation in bond.....	63
Warehouses of class one .....	63
Warehouses of class two .....	63
Warehouses of class three.....	64
Application for establishment of bonded warehouses.....	64
General provisions .....	65
Transportation in bond .....	68
Withdrawals at original ports for consumption.....	70
Withdrawal at original port for exportation .....	71
Export withdrawal at port of original importation....	71
XXIII.—Penal provisions and additional duties .....	73
Classification of penal acts and customs proceed- ings .....	73
XXIV.—United States Army transport service.....	79
XXV.—Protests .....	80
XXVI.—Revenue-Cutter Service .....	81
XXVII.—Customs districts .....	82
Index .....	83

WAR DEPARTMENT,  
*Washington, D. C., June 22, 1901.*

By direction of the President, the following customs regulations for ports in the island of Cuba, will be proclaimed and enforced said island, and will take effect on promulgation in Cuba.

All regulations and orders heretofore issued inconsistent herewith are hereby repealed.

ELIHU ROOT,  
*Secretary of War.*





## REGULATIONS

### FOR THE

GUIDANCE OF OFFICERS CONCERNED IN THE COLLECTION OF DUTIES ON IMPORTS AND EXPORTS AND OTHER CHARGES AND EXACTIONS TO BE LEVIED AND COLLECTED AS A MILITARY CONTRIBUTION AT PORTS AND PLACES IN CUBA IN THE POSSESSION OF OR UNDER THE CONTROL OF THE UNITED STATES.

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### CHAPTER I.

GENERAL FUNCTIONS OF THE CUSTOMS-HOUSES, THEIR CLASSES, THE AUTHORITY BY WHICH CREATED, AND THE PRESENT CUSTOMS PORTS IN CUBA.

ARTICLE 1. The customs-houses are the offices established by competent authority in those ports which have been designated for the entrance and clearance, transfer and transshipment of merchandise, in order to collect the customs duties and enforce the existing customs laws and regulations.

ART. 2. The customs-houses of the island of Cuba are divided into two classes. The custom-house of the first class shall be the one at the principal customs port of the island; the custom-houses of the second class shall be those at the ports which are declared to be sub-ports of the principal customs port. An officer of the Army shall be appointed collector of the principal customs port. Besides acting as collector, he shall be the chief of the customs service, and shall be designated as the collector of customs for Cuba. Under the orders of the military governor he shall have general jurisdiction over all the custom-houses of Cuba, with the authority conferred by the orders of the President, dated at the Executive Mansion, December 13, 1898,<sup>1</sup>

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<sup>1</sup> WAR DEPARTMENT, *Washington, December 17, 1898.*

The following order of the President is published for the information and guidance of all concerned:

EXECUTIVE MANSION, *December 13, 1898.*

By virtue of the authority vested in me as Commander in Chief of the Army and Navy of the United States of America, I do hereby order and direct that the following tariff of duties and taxes shall be levied and collected and the regulations for the administration thereof shall take effect and be in force in all ports and places in the island of Cuba and all islands in the West Indies west of the seventy-fourth degree west longitude, evacuated by Spain, on and after January 1, 1899.

All questions arising in the administration of customs shall be referred to the

and March 31, 1900,<sup>1</sup> respectively, and respectively promulgated by the War Department under the dates of December 17, 1898, and March 31, 1900.

ART. 3. As far as possible there shall be appointed by the military governor of Cuba, with the approval of the Secretary of War, officers of the Army who shall act as collectors of customs of the subports.

collector at the port of Habana for decision, and there shall be no appeal from such decision except in cases where the collector may find it expedient to ask for special instructions of the War Department on the points involved.

Necessary and authorized expenses for the administration of said tariff and regulations shall be paid from the collections thereunder.

Accurate accounts of collections and expenditures shall be kept and rendered to the Secretary of War.

WILLIAM MCKINLEY.

The above order and the following tariff of duties and taxes prescribed thereunder will be proclaimed and enforced, as therein provided, and all regulations and orders heretofore issued inconsistent herewith are hereby repealed.

G. D. MEIKLEJOHN,  
*Acting Secretary of War.*

<sup>1</sup> WAR DEPARTMENT,  
*Washington, D. C., March 31, 1900.*

The following order of the President is published for the information and guidance of all concerned:

EXECUTIVE MANSION, *March 31, 1900.*

By virtue of the authority vested in me as Commander in Chief of the Army and Navy of the United States of America, I do hereby order and direct that the following tariff and duties shall be levied and collected in all ports and places in the island of Cuba and all islands in the West Indies west of the seventy-fourth degree west longitude, evacuated by Spain, on and after June 15, 1900, and shall remain in force one year from the date of promulgation without change.

All questions arising in the administration of the customs regulations shall be referred to the collector at the port of Habana for decision, and there shall be no appeal from such decision except in cases where the collector may find it expedient to ask for special instructions of the War Department on the points involved.

Importers who are dissatisfied with the valuation or classification of merchandise as fixed by the collector of the port shall pay the duties imposed, but may file at the time of payment a written protest and appeal, stating briefly the value or classification which it is claimed should have been established.

Said protest and appeal shall forthwith be transmitted by the collector, through the chief of customs service, to the military governor of the island, who will review and either affirm, reverse, or modify the action complained of.

Necessary and authorized expenses for the administration of said tariff and regulations shall be paid from the collections thereunder.

Accurate accounts of collections and expenditures shall be kept and rendered to the Secretary of War.

WILLIAM MCKINLEY.

The above order and the following tariff of duties prescribed thereunder will be proclaimed and enforced, as therein provided, and all regulations and orders heretofore issued inconsistent herewith are hereby repealed.

ELIHU ROOT,  
*Secretary of War.*

If at any time in any subport the services of an officer of the Army are not available as collector, a civil official may be appointed temporarily as acting collector.

ART. 4. Custom-houses shall be established or suppressed by the military governor of Cuba.

ART. 5. The port of Habana has been duly designated as the principal customs port of Cuba, and the following ports have been declared subports, viz: Matanzas, Cárdenas, Cienfuegos, Sagua la Grande (Isabela de Sagua), Caibarien, Santiago de Cuba, Manzanillo, Nuevitas, Guantánamo, Gibara, Baracoa, Trinidad, Santa Cruz del Sur, Tunas de Zaza, and Batabanó, in the Island of Cuba, and the duly appointed collectors of these ports, or other person appointed as acting collector, shall have general jurisdiction over the collection of the customs revenue in the respective ports. Collectors or acting collectors at the subports shall render such reports and accounts as may be required from time to time by superior authority. All official correspondence directed to or proceeding from the collectors of subports shall be transmitted through the office of the collector at the principal customs port.

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## CHAPTER II.

### DUTIES AND POWERS OF CUSTOMS OFFICIALS.

#### GENERAL PROVISIONS.

ART. 6. The general duties and powers of customs officials are such as relate to the documenting of vessels of the island of Cuba in proof of nationality and ownership; the exclusion of foreign vessels from the coastwise trade, except those authorized by law; maintenance of the laws and treaties concerning commercial intercourse; the securing of the lawful revenue from importations of foreign merchandise; the suppression and prevention of smuggling and other frauds on the customs revenue, and the collection and deposit of duties, fees, and penalties accruing under the customs and navigation laws; the disbursement of public moneys; the use and preservation of public property; the enforcement of the immigration laws, and the compilation of returns of the commerce, navigation, and immigration of the island of Cuba.

ART. 7. General powers of search, seizure, and arrest under the revenue laws are hereby conferred upon the officers of the customs including inspectors, occasional inspectors, officers of revenue cutters authorized agents of the customs service, and other persons specially appointed for the purpose in writing by a collector of customs. In the exercise of these powers they are authorized to board vessels, to

hail and stop the same, and to use force, if necessary, to compel compliance, and to search all such vessels and all persons, trunks, and packages found on board. These general powers are not confined to the districts to which the officers may be attached, but may be exercised in other districts.

ART. 8. Customs officers must warn and advise all persons with whom they deal, in order to prevent such persons from committing innocently, or through ignorance, offenses against the revenue laws and regulations.

ART. 9. Customs officers are authorized to board vessels bound for the island of Cuba, whether in port or within four leagues of the coast; to demand manifests or make search and examine any or all parts of the vessel; to seal and take account of any packages found separated from the residue of the cargo; but in the case of foreign vessels protected by treaty, notice of an intended search must be given to the proper foreign consul.

ART. 10. They are authorized to stop, search, and examine any vehicle, beast, or person on which or whom they suspect there is merchandise unlawfully introduced into the island of Cuba. If such goods are found, they shall seize the vehicle, beast, or packages, and arrest the person or persons, and report the facts to the collector.

They are authorized to enter upon or pass through the lands, inclosures, or buildings other than dwelling houses, of any person, at all times, either day or night.

ART. 11. When officers of the customs shall have cause to suspect a concealment of merchandise in any particular dwelling house or store, they will, upon application to the municipal judge or to a judge of first instance, or, in their absence, to the mayor of the city or town or district, be entitled to a warrant to enter such house, store, or other place to search for smuggled goods.

ART. 12. Customs officers are empowered to seize all letters or packages, packets or parcels containing letters which are being carried contrary to law on board any vessel or on any post route, and convey them to the nearest post-office, or detain them subject to the orders of the postal authorities.

ART. 13. Principal customs officers are required to keep true, correct, and permanent records and accounts of their official transactions, to submit the same to the inspection of authorized officers at all times, and to turn over all records and official papers to their successors, or to other authorized officers.

ART. 14. Customs officers receiving or having in possession public money or property are required to render such accounts and returns thereof, and in such form as may be required by the Secretary of War or by the military governor.

## CHAPTER III.

## COLLECTORS OF CUSTOMS.

ART. 15. At the head of each custom-house shall be a chief officer called the collector of customs, whose duties and powers are as follows:

First. To carefully comply with and to require all his subordinates to comply with whatever is prescribed in these regulations, in the customs laws, and in general or special orders from superior authority relating to the customs.

Second. To decide all questions raised in the dispatch of merchandise and in the transaction of daily business in the custom-house. The collectors of subports shall refer all questions in regard to which they are themselves in doubt to the collector of the chief port for his decision.

Third. Collectors of customs shall prescribe the interior regulations for their respective custom-houses, which shall be in accord with these general regulations and shall be approved by the collector of customs for Cuba.

Fourth. They shall see that all duties, taxes, and imposts connected with the customs revenue are collected within the prescribed times; that the cashiers and employés intrusted with the receipt of customs dues make their deposits punctually and correctly in the public treasury, and that the register of collections is proven correct by comparison, within the prescribed times, with the books of the cashier and of the bookkeeper, and certifying or directing the certification of the balances after due examination.

Fifth. They shall forward all reports required of them by superior authority, and shall transmit to higher authority all proper documents submitted to them for that purpose, with an endorsement of their views thereon.

Sixth. Subject to approval by higher authority, they shall appoint the employés of the respective customs-house, with power to discharge for the good of the service.

Seventh. Collectors of customs in Cuba are hereby directed to perform the duties formerly belonging to United States consuls or consular officers in such territory, so far as concerns seamen, vessels, clearances, etc.

Official fees or dues collected by United States consuls under similar circumstances shall be collected by such collectors of customs, and all moneys collected under the provisions of this order shall be deposited and accounted for as prescribed for customs collections.

In order to comply with the provisions of section 2844, United States Revised Statutes, the certification of invoices of goods shipped to the United States from Cuba shall be executed by a consul of a friendly nation or by two resident merchants of good reputation.

## Santa Cristina Barracks, Matanzas.

TROOPS.	OFFICERS.	REMARKS.
<i>Head- quarters, 10th Infantry.</i>	Col. E. P. Ewers.....	Comdg. Regt. & Post.
	Lt. Col. S. H. Lincoln.....	With Regt.
	Major W. T. Duggan.....	D. S. Ft. Crook Neb.
	Major R. W. Hoyt.....	D. S. Cárdenas.
	Major G. LeRoy Brown...	With Regt.
	Capt. Henry Kirby.....	Adjutant & R. O.
	Capt. J. H. Shollenberger.	Quartermaster.
	1st Lieut. R. F. Walton...	Commissary.
	1st Lieut G. C. Saffarans.	Batt. Adjt., Range Officer.
<i>Company "A"</i>	1st Lieut W. E. Welsh.....	Batt. Adjt., D.S. Depot Batt.
	1st Lieut.....	Batt. Adjt.
	Capt. E. A. Helmick.....	D. S. Dept. Hdqrs.
	1st Lieut A. J. Macnab....	D. S. with 23d Infantry.
	2d Lieut J. R. Lee.....	Comdg. Co., Exchange Officer
	Capt. W. A. Phillips.....	Comdg. Co.
	1st. Lieut J. C. McArthur.	D. S.
	2d Lieut G. D. Jarrett.....	With Co., Sig. Officer, Comdg. Co. "A."
	Capt. J. T. Dean.....	Comdg. Co.
<i>Company "B"</i>	1st Lieut. T. O. Murphy..	D. S. A. D. C. to Gen. Brooke.
	2d Lieut. R. H. Peck.....	Comdg. Co.
	With Co.	
	Capt. C. J. T. Clarke.....	Comdg. Co.
	1st Lieut. W. A. Raiburn.	With Co.
	2d Lieut. J. S. Young, Jr..	Comdg. Ft. Severino.
	Capt. R. C. Van Vliet.....	Comdg. Co.
	1st Lieut. C. R. Ramsay..	D. S. With 21st Inf.
	2d Lieut. E. R. Wilson....	With Co.
<i>Unassigned</i>	1st Lieut. A. P. Berry.....	Temporary duty at Dept. Hdqrs.
	2d Lieut. C. N. Jones.....	Duty with Regt.
	1st Lieut. F. M. C. Usher,	
	Med. Dept. U. S. A.....	Post Surgeon.

of all inspectors, weighers, or measurers who are absent from or neglect to do their duty.

3. To visit or inspect the vessels which arrive in his port and make a return every morning to the collector of all vessels which have arrived from foreign ports during the preceding day, specifying the names and denominations of the vessels, the masters' names, from whence arrived, whether laden or in ballast, and to what nation belonging.

4. To put on board of each of said vessels, immediately after their arrival in port, one or more inspectors.

5. To examine whether the goods imported in any vessel and the deliveries thereof correspond, according to the inspectors' returns, with the permits for landing the same, and if any error or disagreement appears, to report the same to the collector.

6. To superintend the lading of all goods for exportation and examine and report whether the kind, quantity, and quality of the goods so laden on board any vessel for exportation correspond with the entries and permits granted therefor.

7. To examine and from time to time, particularly on the first Mondays of January and July in each year, try the weights, measures, and other instruments used in ascertaining the duties on imports, with standards to be provided by the collector for that purpose; and where disagreements with the standards are discovered to report the same to the collector, and to comply with such directions as he may receive for correcting the same.

8. To preserve with care all orders received from superior authority.

#### CUSTOMS INSPECTORS.

ART. 24. At ports where a surveyor is appointed, inspectors shall be assigned to duty by him, subject to the orders of the collector; otherwise they shall be assigned by the collector. At ports where inspectors are required to wear uniforms, they must always be worn when on regular duty. When inspectors are ordered on special service they must wear a badge of office conspicuously displayed, unless otherwise authorized or directed. All inspectors shall ascertain whether sailing vessels coming within their official cognizance are provided with the signal lights prescribed by law, and shall report all cases of nonobservance of the law, in order that the legal penalties may be enforced.

Inspectors are required to send at once to the public stores all goods seized by them for violation of law, taking the storekeepers' receipts for such goods and sending such receipts, with full reports of the case, to the surveyor.

They shall not perform any private or unofficial duties or services on board the vessels to which they may be assigned, under penalty of dismissal from the service.

## DISTRICT INSPECTORS.

ART. 25. District inspectors must be in their respective districts during such hours as the surveyor may direct, and where two inspectors are assigned to the same district one or the other of them must be constantly on duty during the prescribed hours. They have general supervision of all vessels coming into their districts and shall report all discovered violations of the revenue or navigation laws and regulations to the surveyor. They are to make examinations as often as necessary of vessels coming into their districts and to ascertain whether Cuban vessels are properly documented and have duly complied with all laws relating to navigation. They shall secure and seal the hatches and openings of all vessels from foreign ports coming within their districts and retain the custody of the same until relieved by discharging inspectors.

If no assignment of an inspector be made especially to such vessels, the district inspector shall take charge of the lading thereof without further notice.

In the case of vessels permitted to proceed to another district before completely discharging, the inspector in charge of the first district shall submit to the surveyor a statement of the portion of the cargo already discharged, for delivery to the district inspectors, under whose supervision the remainder of the cargo is to be discharged. The inspector in charge of the final delivery shall make the final returns of discharge. They shall report daily to the surveyor the names of all importing vessels which arrived in their districts during the previous day, distinguishing between those not discharged, those partly discharged in their districts, and those wholly discharged.

They shall each keep a permanent record book in which to enter, with necessary particulars, all entries, orders, and permits received by them, and another book to enter an account of all coasting vessels examined, both books to be in the prescribed form.

ART. 26. They are to supervise the shipment of goods for exportation or transportation in bond in their respective districts.

ART. 27. When the lading of the merchandise on board the vessel or other conveyance is completed, the district officer under whose supervision the lading is done shall endorse upon the original entry the proper certificate of the shipment. When merchandise for export or transportation has been ordered to be weighed or gauged, the name of the weigher or gauger by whom the same was done shall be given underneath the certificates. If a manifest is required to be delivered to the master of the vessel or to the conductor of a railroad car, such manifest must be certified by the district inspector and delivered as directed.

ART. 28. Whenever any portion of the merchandise described in the export or transportation entry is not shipped in accordance with the orders and directions upon the entry, the district inspector, in



making his certificate of shipment, shall state that the merchandise was shipped "in part," and the number of packages or quantity of merchandise not shipped must be specified underneath the certificates, and the reason, if known, why the merchandise was not shipped, and what disposition was made thereof, must also be stated.

ART. 29. Such unshipped merchandise must be sent to the nearest general-order store, with a ticket or receipt, describing the merchandise, and stating upon it that the merchandise is "for export—or transportation, as the case may be—but not shipped," which ticket or receipt shall be signed by the storekeeper.

ART. 30. When the export or transportation entries are returned to the surveyor's office, the ticket or receipt for goods not shipped and sent to the general-order store shall be attached to the original entry.

Officers who certify shipments of goods without due inspection and supervision of the shipments will be subject to the penalties prescribed in Article 221.

#### BOARDING INSPECTORS.

ART. 31. It is the duty of boarding inspectors to board vessels arriving from foreign ports, and, after ascertaining the name of the vessel and master, and port of departure in each case, to examine the documents relating to the vessel and crew, and certify the manifest of cargo, verifying the same by actual examination, and when necessary to seal or otherwise secure the hatches and openings until the necessary permits for unloading can be granted and a discharging officer assigned to the vessel.

#### COAST INSPECTORS.

ART. 32. Coast inspectors are appointed to protect the interests of the revenue with respect to all goods, wares, and merchandise which may be landed or in any way come to the land from a vessel from a foreign port wrecked or stranded upon the coast.

On learning that a vessel has been wrecked or stranded, the coast inspector or other customs officer nearest the place where the casualty has occurred shall at once proceed to or as near the location of the stranded or wrecked vessel as is possible and, as soon as he ascertains the situation of the vessel, make report, in writing, of all the facts and circumstances in relation thereto to the surveyor. In case the vessel is likely to break up, or if the condition of the vessel is such that its cargo can be landed or discharged therefrom, he shall remain at or near the wreck and take possession and keep charge of all goods and merchandise which may come or be brought to land.

ART. 33. In case the cargo of the vessel wrecked or stranded is delivered into lighters or other vessels for conveyance into port, the coast inspector shall keep an account thereof, and before any lighter or vessel having on board any of the cargo is allowed to depart shall



take possession of, and secure any merchandise which has been smuggled or landed illegally from any vessel during the night.

ART. 37. The chief inspector in charge of the night force shall assign the force to duty and make daily report of such assignments, together with any negligence, absence, or misconduct. He shall see that the night inspectors perform the duties assigned to them, that all seizures and arrests are promptly reported, and that the orders of the surveyor are obeyed.

#### DISCHARGING INSPECTORS.

ART. 38. Discharging inspectors are assigned to vessels for the purpose of examining the cargoes and superintending the unloading and storing or delivery thereof, so as to prevent loss to the revenue of the island of Cuba through failure to secure any lawful duties. They shall send to the nearest post-office all letters, packages, and bags containing mail matter, take an account thereof, superintend the delivery to the postmaster, and obtain a receipt therefor.

They shall obtain from the masters of vessels lists of articles reported by them at the custom-house as sea stores, compare the articles of the list, seal or secure all unbroken packages of dutiable goods claimed as stores, and report the same, with any excess of stores, to the collector or the surveyor.

ART. 39. Specie and valuables, usually in charge of the pursers of steamships, must be taken possession of by discharging inspectors as soon as possible after they first go on board the vessels. The special place or room where such specie and valuables are deposited, and the safe or the packages containing the same must be locked with custom-house locks, or otherwise secured, until delivered on a permit from the proper customs officers.

ART. 40. Samples of the cargo in bulk of the vessel shall, as soon as practicable, be sent by discharging inspectors to the appraiser's store.

ART. 41. They shall report to the collector any perishable or explosive articles among the cargoes to be discharged. They shall endeavor to save to the owners of goods intended for immediate export or transportation the cost of sending their goods to warehouses by retaining them on the vessel or wharf until the owners can obtain a delivery permit, provided that such retention does not delay the unloading of other goods and is not protracted beyond the period named in the general order.

ART. 42. They shall seize all goods imported or removed in violation of law, and shall not permit any goods to be removed from the landing places thereof until they have been properly weighed, gauged, or measured, and shall require persons charged with the unloading of goods to properly separate, assort, and arrange the goods on the wharves for the convenience of customs weighers, gaugers, measurers, and markers.

## TROOPS STATIONED IN THE DEPARTMENT.

REGIMENT.	Troop, Battery or Co.	STATION.
7th Cavalry, Headquarters, COLUMBIA BARRACKS, QUEMADOS, CUBA.	A	Columbia Barracks, Quemados.
	B	Columbia " "
	C	Pinar del Rio " Pinar del Rio,
	D	Columbia " Quemados,
	E	Pinar del Rio " Pinar del Rio.
	F	Columbia " Quemados.
	G	Pinar del Rio " Pinar del Rio.
	H	Columbia " Quemados.
	I	Pinar del Rio " Pinar del Rio.
	K	Columbia " Quemados.
	L	Columbia " "
	M	Columbia " "
2d Artillery, LIGHT BATTERIES.	A	Columbia Barracks, Quemados.
	F	Columbia " "
1st Infantry, Headquarters, PINAR DEL RIO BARRACKS, PINAR DEL RIO, CUBA.	E	Pinar del Rio Barracks, P. del Rio,
	F	Pinar del Rio Barracks, "
	G	Pinar del Rio Barracks, "
	H	Pinar del Rio Barracks, "
	I	Guanajay Barracks, Guanajay.
	K	Guanajay Barracks, "
	L	Guanajay Barracks, "
	M	Guanajay Barracks, "
8th Infantry, Headquarters, COLUMBIA BARRACKS, QUEMADOS, CUBA.	A	Columbia Barracks, Quemados.
	B	
	C	
	D	
	E	
	F	
	G	
	H	

permits or orders; the marks, numbers, and descriptions of the packages ordered to be and actually unladen; to what public stores, warehouses, or other places the respective lots of goods have been sent. The discharge book of each cargo is to be duly signed and delivered to the surveyor, as required in the following paragraph.

ART. 51. As soon as practicable they shall submit to the surveyor their discharging book, accompanied by the permits and orders of discharge, and all other vouchers relating to the disposition of the cargo and a return thereof. They shall first enter therein the baggage permit, if there is one, and shall enter separately: First, all free permits; second, all consumption permits; third, all warehouse permits; fourth, all permits for the delivery of "I. T." goods to the surveyor; fifth, all permits for delivery to the surveyor of merchandise for transport or export, designating in the corresponding column such packages as were landed, sent to the warehouse, or delivered to the surveyor.

On the return of merchandise disposed of on consumption permits the entry number must in each instance be stated, and for merchandise delivered in bond, whether for warehouse, exportation, or transportation, the bond number must be stated on the return. In the marginal column must be noted all packages "not agreeing with permit" or "not found on board," and opposite to the entry of each warehouse permit the designated warehouse to which the merchandise was sent; or, if delivered to surveyor, the place of ultimate destination. Special care must be taken to state the correct date of the landing of merchandise from the vessel, and if it was landed on more than one day the first and last day on which each lot was landed must be stated. After the permits above mentioned are entered, the inspector shall enter, under the proper designation, all packages, by marks and numbers, which have been sent either to appraiser's store, sample office, general order store, or elsewhere by special order, and all passengers' baggage sent to public store. For all packages a proper receipt will be required, to correspond with the return. After accounting for the cargo he must enter at the end of his return a list of all the sea stores and of all the coal remaining in the vessel. Such returns shall be signed by the inspectors, respectively, under whose superintendence the deliveries have been made. The names of weighers, gaugers, or measurers who have performed any duty in connection with the cargo shall also be stated.

ART. 52. Discharging inspectors shall make report of goods remaining on board their vessels after the expiration of the authorized time for discharge, in order that collectors may take possession of such goods as unclaimed. Before reporting their vessel as fully discharged they shall make careful personal examination of all parts of such vessel.

## Columbia Barracks, Quemados, Cuba. (CONTINUED.)

TROOPS.	OFFICERS.	REMARKS.
<i>Lt. Battery</i> "A"	Capt. Lotus Niles.....	Comdg. Battery.
	1st Lieut. G. Blakely.....	D. S. Mil Academy.
<i>2nd Artillery.</i>	1st Lieut. L. S. Lyon.....	With Battery.
	2d Lieut. C. F. Armistead..	D. S. Dept. Hdqrs.
<i>Lt. Battery</i> "F"	Capt. C. D. Parkhurst.....	Comdg. Battery and Battalion.
	1st Lieut. E. J. Timberlake	Abs. with leave.
<i>2nd Artillery.</i>	1st Lieut. S. S. Jordan.....	With Battery.
	2d Lieut. F. Connor.....	With Battery, Adjt.
<i>Headquarters,</i> <i>8th Inf.</i>	Col. G. M. Randall.....	D. S. Alaska
	Lt. Col. P. H. Ellis.....	Comdg. Regiment.
	Major J. F. Stretch.....	D. S. Dept. Havana.
	Major P. H. Ray.....	D. S. Alaska.
	Major W. L. Pitcher.....	D. S. Dept. Havana.
	Capt. F. H. Sargent.....	Adjutant.
	Capt. J. Stafford.....	Quartermaster.
	1st Lieut. M. B. Stewart..	Commissary, Post Treasurer.
	1st Lieut. T. Norman.....	Batt. Adjt. D. S. Depot Batt.
	1st Lieut. C. E. Russell...	Batt. Adjt.
	1st Lieut. H. A. Eaton...	Batt. Adjt.
<i>Company</i> "A"	Capt. R. H. Wilson.....	D. S. Recruiting Service.
	1st Lieut. C. P. Faulkner..	Denver, Col.
	2d Lieut. H. P. Goodnow..	D. S. With 14th Inf. Comdg. Co.
<i>Company</i> "B"	Capt. C. W. Kennedy.....	Commanding Co.
	1st Lieut. F. L. Knudsen..	With Co.
	2d Lieut.....	Vacancy.
<i>Company</i> "C"	Capt. F. Perkins.....	En route to join.
	1st Lieut. F. W. Coleman, Jr.	D. S. with 13th Inf.
	1st Lieut. F. W. Healy.....	Comdg. Co.
<i>Company</i> "D"	Capt. C. Gerhardt.....	Comdg. Co., Range Officer,
	1st Lieut. J. R. Seyburn...	With Co.
	2d Lieut. C. B. Smith.....	With Co.
<i>Company</i> "E"	Capt. R. F. Ames.....	Comdg. Co.
	1st Lieut. E. T. Collins...	With Co.
	2d Lieut. L. S. Edwards...	With Co.
<i>Company</i> "F"	Capt. F. W. Sladen.....	D. S. With 4th Inf.
	1st Lieut. D. W. Kilburn..	Comdg. Co.
	2d Lieut. A. V. L. R. de	
	Beaumont.....	With Co.

surveyor's office as public records. A separate book shall be kept for the cargo of each vessel.

ART. 57. Before weighing any merchandise the weigher must see that the beam is accurately balanced. As correctness of weights depends very much upon the accuracy of the poise, the beam should always be kept clean and be frequently tested with the standard. A fairly even beam indicates the weight, but as in weighing merchandise it seldom happens that the beam will stand at an exact poise, but will go either above or below an even beam, the weight shall be taken on the rising beam. Weighers are required to mark the weight on each single package weighed.

ART. 58. When a return has been once made by a weigher it must not be amended or changed except by permission of the surveyor. The amended return must state why the amendment is made, and be checked or signed by the weigher before it is presented to the surveyor for his approval. The original figures shall be canceled by cross marks and the amendment added, so as to show both records. When an amendment to a return is allowed, the weigher must correct his dock book in accordance with the amended return.

ART. 59. From every invoice of railroad iron or steel rails a sufficient number of bars of equal length shall be weighed in order to ascertain the average weight thereof, the whole number of bars to be counted, and returns of the weight of such iron must be made as of other weighable merchandise; but if the weight, as shown by the return of the weigher, does not vary more than two per cent from that stated in the invoice, the entry shall be liquidated at the invoice weight. In case a greater variation from invoice weight is shown, the whole quantity embraced therein shall be weighed.

ART. 60. Whenever a permit or order directs that goods be weighed and a special return be made therefor, the weigher shall weigh the goods designated and make a return separate and distinct from any other without delay. If the merchandise has been shipped before the order to weigh is received by the weigher, he shall indorse such fact on the back of the order and return it to the surveyor. Returns of the weighing of a cargo must be made to the collector within six days after the vessel has been discharged. Certificates or copies of weights shall be furnished by the surveyor at ports where there is such an officer; elsewhere by the collector.

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## CHAPTER IV.

### BONDS OF CUSTOMS EMPLOYÉS.

ART. 61. All employés of the customs service who are charged with the custody of funds or property, storekeepers, and such others as may be directed by the collector of customs for Cuba to be bonded,

shall file a good and valid bond for the faithful performance of their duties.

ART. 62. The bonds shall be in such form as may be directed by the collector of customs for Cuba, with a trust or guarantee company legally authorized to do business in the Island of Cuba as sole surety, or with at least two good and sufficient sureties to be approved by the collector of customs for Cuba.

The amount of the bond shall be determined by the collector of customs for Cuba.

ART. 63. Possession of office shall not be given to any official herein required to file a bond until the latter shall have been duly drawn up and accepted. Chief customs officers who violate the provisions of this regulation will be held responsible for the consequences of their action.

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## CHAPTER V.

### CUSTOMS SURVEILLANCE.

ART. 64. In order to secure the collection of the legal duties the custom-houses shall exercise surveillance over the coast, beginning with the moment when a vessel enters the jurisdictional waters of the island of Cuba and concluding when the merchandise imported therein has been legally passed through the custom-houses, except that in case of justifiable suspicion of fraud said merchandise may be followed in its transportation by coasting vessels, by railroad, or by any other means or in any other way by land or water, from one point of the island to another, in which case a new examination shall be made and proof required of the payment of the proper duties at the custom-house of arrival.

The jurisdictional waters of Cuba extend to four leagues from the coasts of the island or from the keys belonging to it.

ART. 65. On the arrival in port of any vessel no person except the pilots, customs and health officers, consuls, and agents of the vessel (with the consent of the customs) shall be allowed to come on board or to leave the vessel, without the permission of the customs officer in charge, until all the passengers and their baggage shall have been duly landed, or, if there are no passengers, until the vessel is completely moored or the master's permission is obtained.

It shall not be lawful for the master of any steamship or other vessel coming from a foreign port, not in distress, after the arrival of the vessel within any collection district of the Island of Cuba, to allow any person or persons, except a pilot, officer of the customs, or health officer, and agents of the vessel (with the consent of the customs), to come on board of the vessel or to leave the vessel until the



vessel has been taken in charge by an officer of the customs, nor after charge so taken, without leave of such officer, until all the passengers, with their baggage, have been duly landed from the vessel. For a violation of this rule, or for permitting or neglecting to prevent a violation thereof, the master of the vessel shall be liable to a fine not exceeding one hundred dollars.

It shall not be lawful for any person, with or without the consent of the master, except a pilot, officer of the customs, health officer, or agent of the vessel, to go on board of a vessel not in distress arriving at any seaport of the Island of Cuba until the vessel has been taken in charge by an officer of customs, nor, after charge is taken, without leave of such officer until all the passengers, with their baggage, have been duly landed from the vessel.

It shall not be lawful for any person in charge of a tugboat, row-boat, or other vessel to come alongside and put any person, except as authorized by these regulations, on board any incoming vessel heretofore described.

ART. 66. Customs surveillance shall be exercised:

First. In the jurisdictional waters by the revenue cutters.

Second. In the custom-houses in the ports of arrival and in each customs district by all the interior employés of the custom-house and by the corps of inspectors, which includes all customs inspectors of whatever class.

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## CHAPTER VI.

### IMPORTATION BY SEA.

#### SECTION FIRST.

##### *General provisions.*

ART. 67. No merchandise of any kind whatsoever can be legally introduced into the island of Cuba without passing through the custom-house duly established for this purpose, all such merchandise requiring to be presented at the custom-house for examination and payment of customs duties, if to such it is liable.

Employés charged with the duty of collecting the customs revenue shall be under no restriction in assuring themselves of the correctness of all operations performed for this purpose. Customs employés shall have the right to proceed, not only to open all packages and concealed spaces, but also to destroy false bottoms, or partitions, or bulkheads, etc., which prevent them from assuring themselves that the hidden empty spaces contain no dutiable object, nor shall such proceeding give any right to a claim for damages which may have been thus caused to merchandise or vessel.



Any person, firm, or corporation attempting to import oleomargarine into the island of Cuba, and failing to comply with the provisions of this order, shall forfeit the merchandise sought to be fraudulently imported, and the same shall be seized and sold by the collector of customs in the form and manner prescribed for the sale of seized and confiscated goods. The proceeds of such sale or sales shall be deposited with the treasurer of the island of Cuba.

4. In addition to the penalty provided by paragraph 3 of this article, any person, firm, or corporation failing to comply with the provisions of this article shall be liable to the fines and penalties prescribed in Circular No. 31, Division of Customs and Insular Affairs, dated August 24, 1899, the same as if such frauds were against the customs revenues of Cuba.

ART. 72. In the dispatch of passengers, baggage, or other effects, duties not exceeding one dollar on any one consignment may be remitted by the collector of customs.

ART. 73. Articles of easy identification desired to be exported from the island of Cuba for the purpose of being repaired may be, upon application to the collector of customs, identified at the custom-house through which exported, and may be subsequently reimported free of duty on reidentification, under the proper restrictions to be prescribed by the collector of customs for Cuba.

Such articles are dutiable, however, to the extent of any repairs that may have been made thereon, at the rate of 20 per cent ad valorem.

When appraisals are being made, either on the wharves or in the appraisers' warehouses, all persons other than designated employes of the custom-house shall be excluded therefrom, except as permission may be granted therefor by the collector of customs.

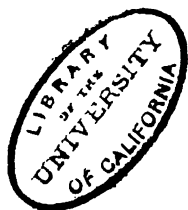
## SECTION SECOND.

### *Masters of vessels and their manifests.*

ART. 74. Every vessel shall on arrival be placed under customs control until duly discharged. Passengers with no dutiable property in their possession may be permitted to land without detention.

ART. 75. Within twenty-four hours after the arrival of any vessel the master must, under the penalty hereinafter prescribed in case of failure, produce to the proper officer a manifest of her cargo, including every parcel or package carried by the vessel, which manifest must be certified by the oath of the master.

The master of every foreign vessel is required, at the time of entry, to produce to the collector the register, or other document in lieu thereof, together with the clearance and other papers granted by the officers of the customs to his vessel at the port of departure for Cuba, and, within forty-eight hours after entry, to deposit the same with



consigned to order, a notation of that fact; all the foregoing data to be entered separately for each port. The number and weight of the packages shall be expressed in letters and figures. The mere expression "merchandise," or any other expression of similar vagueness, shall not be admitted.

4. Cargoes in bulk shall be entered in the manifests by numbers, weight, or measure, according as the merchandise composing the cargo is dutiable by number, weight, or measure, except that the weight be expressed in all cases whether the merchandise be dutiable by it or not.

5. The manifest may be drawn up in the language of the nation to which the vessel belongs, but the master must deliver to the collector two copies in Spanish within twenty-four hours after the delivery of the original manifest.

6. When a vessel touches at several ports the captain may, at his option, prepare and certify, as provided in article 75, a manifest of the entire cargo in the last port, or the one from which he begins his voyage to the island of Cuba, or he may bring separate manifests for each port from which he brings cargo. In the latter case, he shall add to the manifest which he certifies, and to the one for the port immediately preceding, a note connecting the two documents together so that none of the manifests can fail to be presented.

7. All interlineations, additions, or corrections not certified by the captains are null and void.

8. If owners, shippers, or consignees note any error in the master's certified manifest, they shall report it to the collector of customs at the port for which the vessel sails, which collector shall or shall not permit, according to the circumstances of the case, a correction, the master having the right of appeal to the collector of customs for Cuba.

9. Captains entering ports due to stress of weather are not required to present the certified manifest, but will prepare and present a copy of it, as prescribed in article 78.

ART. 78. If a vessel destined to the foreign trade enters some other than the port of its destination, by stress of weather, pursuit, or duress by enemies or other necessity duly established, a period of three days shall be conceded to the captain in order that he may draw up, sign, and present his manifest, with the details required by article 77.

If a vessel destined to the island of Cuba enters, by stress of weather, pursuit, or duress by enemies or other necessity, in a port other than its destination, the manifest shall be returned to the captain upon his departure, certified by the collector of customs, who will retain an exact copy of the same, signed by the captain or his consignee, and who shall send another copy to the collector of the port of destination.

When the stress of weather, pursuit, or duress of enemies or other necessity occurs in some cove, anchoring place, or harbor on the coast, the captain or master shall present his original manifest and two

# TROOPS STATIONED IN THE DEPARTMENT.

REGIMENT.	BATTERY.	STATION.
2d Artillery, Headquarters, No. 21, 5th Street, VEDADO, CUBA.	G	Battery No. 3 .....
	H	Pirotecna.....
	I	Cabaña Barracks
	K	Cabaña Barracks
	L	Cabaña Barracks
	M	Battery No. 4 .....
	N	Santa Clara Bat- tery.....
	O	Battery No. 5 .....

Havana.

which may be conceded for the different operations of the custom-house.

ART. 84. Within the period of twenty-four hours next following the entry of a vessel, unless a legal holiday shall intervene, the captain shall present two copies of his own manifest translated into Spanish.

If cargo is carried for more than one port he shall present at the first port, in addition to the copies above mentioned, one copy of the partial cargo destined to the same.

One of the general copies authorized by the collector and containing the information as to whether the original has been certified or not shall be taken by the captain and presented at each one of the intermediate ports at which he may stop, for comparison with the partial ones, and shall serve as a base for all custom-house operations, being certified in each intermediate custom-house and filed in the last.

After presenting the general manifest, with its copies, in the port of first destination, the captain shall present two partial copies of the cargo consigned to each port at each one of the intermediate custom-houses.

ART. 85. If the Marine-Hospital Service upon inspection shall order that the vessel remain under observation, a custom-house inspector shall be placed on board or in a launch at a distance to be indicated by the Marine-Hospital Service, in order to exercise proper vigilance over the vessel.

The manifest will be delivered without loss of time to the surveyor of the port with the intervention of the Marine-Hospital Service, and the obligation of presenting the copies shall be counted from the time at which the vessel may be admitted to "free pratique."

ART. 86. Every captain of a vessel entering a port, upon delivering the note of the ship's stores, as provided for in article 80, shall declare, under oath, that said stores are destined exclusively for the use of the vessel and are not intended to be sold nor transferred nor for private use. But if, in the judgment of the collector of customs, the amount of said stores appear excessive, the corresponding duties shall be paid upon said excess.

ART. 87. The manifest shall state the consignees or owners of the merchandise included therein.

When a bill of lading has been made to order, that fact shall be so expressed in the manifest, and the person presenting himself with said bill of lading, in accordance with the last indorsement thereon, shall be held to be the consignee.

Merchandise consigned to order which is not duly entered within three days after the admission of the manifest shall be sent by the collector to general order stores.

ART. 88. The residence of the captain or master of a vessel entered in the harbor is the residence or office of the consignee of the vessel.

If there be no consignee it will be the residence or office of the consul or vice-consul of the nation to which the vessel belongs, and, in the absence of both of these, it will be the vessel which he commands.

Citations or notifications which are left aboard of his vessel, or with any person belonging to the office of the consignee, or of the consulate, shall have the same legal force as if they had been made to the captain in person.

ART. 89. The collector of customs shall order to be placed in the custom-house, in the most prominent spot, a bulletin board where there shall be exhibited to the public a note of the name of the captain of the vessel and of the port of original departure of all vessels which enter the port, and also of the hour at which their manifests were delivered. These notices shall be authorized with the signature of the collector of customs, and shall serve as a basis for computing the periods indicated by these regulations, and shall not be removed until all operations in connection therewith shall have been completed.

ART. 90. The clearance of a vessel shall not be permitted for any other port until she shall have discharged all her cargo, or shall have properly accounted for the same.

ART. 91. Before the departure of a vessel from any port the captain shall deliver to the proper official the manifest of the route of said vessel, specifying the marks, number of packages and description of their contents, together with the names of the shippers and consignees, and with a statement of the value of each separate consignment, as well as of the names of the passengers and their destinations. The dispatch of the vessel will then be permitted. No prohibited or contraband merchandise shall be exported.

### SECTION THIRD.

#### *Consignees.*

ART. 92. The consignee is the person to whom a vessel or its cargo is directed. There are, therefore, consignees of vessels and consignees of merchandise.

ART. 93. The consignees, both of vessels and of merchandise, can make use of their clerks or custom-house agents for the customs operations.

The clerk must present, before being permitted to dispatch, a written authorization from his principal or employer, who shall thereby become responsible for all acts of said clerk in the conduct of custom-house business. These authorizations shall be registered in a book, which shall be kept by the collector of customs, and shall have full legal force and effect until the principals request their cancellation or the substitution of the same by a written request to the collector of customs, or until they shall be annulled by the collector of customs himself for due cause.



Customs agents may ask, in writing, of the collector of customs for authorization to act as such, and, upon being admitted as a custom-house agent, they shall give bond to the satisfaction of the collector of customs in the sum which he may order, and their names, bonds, and residence shall be registered in a book, which the collector of customs shall keep, and their authorization shall have full legal force and effect until, for due cause, they may be annulled by the collector of customs or until the interested parties cease to be such agents.

ART. 94. The consignee of the vessel shall be considered to be the person whom the captain may designate as such in his manifest, and the consignee of merchandise to be the one indicated in the manifest, in accordance with the bills of lading, when these are made to some determined person; and shall be considered to be the last person in whose favor the said bills of lading are endorsed, in case the merchandise comes consigned to order. A banker holding a bill of lading as a guarantee for money advanced, may transfer it by endorsement to the actual importer. The agents of marine insurance companies shall be recognized as the consignees of merchandise abandoned to the companies, and the salvors of merchandise found in abandoned vessels upon the high seas shall be recognized as the consignees.

The person designated may freely admit or renounce a consignment. The renunciations must be made within 24 hours after the admission of the manifest, and be officially directed to the collector of customs, otherwise the consignment will be understood to be admitted.

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## CHAPTER VII.

### ENTRY OF MERCHANDISE.

ART. 95. All imported merchandise must be entered at the custom-house of the port of arrival either for immediate consumption or in bond by the person holding a bill of lading which names him as the consignee, or a bill of lading endorsed to his order by the consignee named therein. A banker holding a bill of lading as security for advances of money may transfer the same by endorsement to the actual importer. Underwriters will be recognized as consignees of merchandise abandoned to them, and salvors as consignees of merchandise found by them derelict at sea.

A consignee holding a bill of lading drawn to his order or assigns may transfer the same to any person who can lawfully make the required declarations on entry, and the holder of a bill of lading drawn in blank "to order," and endorsed by the shipper or consignor, may make entry of the merchandise specified therein.

Whenever from evidence furnished by the invoice or bill of lading, or as in the case of custom-house brokers and forwarders, by the known business of the parties making entry, the collector has reason



## 11. The date and the signature of the interested party.

The entry shall, before it can be accepted, be verified by the oath of the consignee or owner in the following form:

## DECLARATION AND OATH OF CONSIGNEE, IMPORTER, OR AGENT.

I, ———, do solemnly and truly swear (or affirm) that the invoice and bill of lading now presented by me to the collector of ——— are the true and only invoice and bill of lading by me received of all the goods, wares, and merchandise imported in the ———, whereof ——— is master, from ———, for account of any person whomsoever for whom I am authorized to enter the same; that the said invoice and bill of lading are in the state in which they were actually received by me, and that I do not know nor believe in the existence of any other invoice or bill of lading of said goods, wares, and merchandise; that the entry now delivered to the collector contains the just and true account of the said goods, wares, and merchandise according to the said invoice and bill of lading; that nothing has been on my part, nor to my knowledge on the part of any other person, concealed or suppressed, whereby the island of Cuba may be defrauded of any part of the duty lawfully due on the said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice or in the account now rendered of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of this district. And I do further solemnly and truly swear (or affirm) that to the best of my knowledge and belief (insert the name and residence of the owner or owners) is (or are) the owner (or owners) of the goods, wares, and merchandise mentioned in the annexed entry; that the invoice now produced by me exhibits the actual cost (if purchased) or fair market value (if otherwise obtained), at the time or times and place or places when or where procured (as the case may be), of the said goods, wares, and merchandise, all the charges thereon, and no other or different discount, bounty, or drawback but such as has been actually allowed on the same.

—————  
 ———.

Personally appeared before me in the place and on the date aforementioned ———, whom I know to be the person named, and who made and subscribed the foregoing declaration.

Sealed with my official seal and subscribed with my signature on the above-mentioned date.

—————  
*Notary Public.*

## DECLARATION AND OATH OF OWNER IN CASES WHERE MERCHANDISE HAS BEEN ACTUALLY PURCHASED.

I, ———, do solemnly and truly swear (or affirm) that the entry now delivered by me to the collector of ——— contains a just and true account of all the goods, wares, and merchandise imported by or consigned to me in the ———, whereof ——— is master, from ———; that the invoice which I now produce contains a just and faithful account of the actual cost of the said goods, wares, and merchandise, of all charges thereon, including the charges of purchasing, carriages, bleaching, dyeing, dressing, finishing, putting on, and packing, and no other discount, drawback, or bounty but such as has been actu-

ally allowed on the same; that I do not know nor believe in the existence of any invoice or bill of lading other than those now produced by me, and that they are in the state in which I actually received them. And I do further solemnly and truly swear (or affirm) that I have not, in the said entry or invoice, concealed or suppressed anything whereby the island of Cuba may be defrauded of any part of the duty lawfully due on said goods, wares, and merchandise; and that if at any time hereafter I discover any error in the said invoice or in the account now produced of the said goods, wares, and merchandise, or receive any other invoice of the same, I will immediately make the same known to the collector of the district.

\_\_\_\_\_,  
\_\_\_\_\_,  
Personally appeared before me in the place and on the date aforementioned the undersigned \_\_\_\_\_, whom I know to be the person named, and who made and subscribed the foregoing declaration.

Sealed with my official seal on the above-mentioned date.

\_\_\_\_\_,  
*Notary Public.*

Whenever it is demonstrated to the satisfaction of the collector of customs that the consignee, by reason of temporary absence or illness, can not personally make the entry of his merchandise, he can be represented by an agent, duly authorized by a power of attorney delivered to the collector of customs, and said agent can make the entry and perform the other necessary transactions in reference thereto. In case of an entry so made by an agent acting under a power of attorney, the consignee or principal, in common with the agent, shall be responsible for all acts connected with the entry and dispatch of the merchandise and whatever ones made in violation of the provisions of article 221.

A false oath in connection with the entry of merchandise shall be subject to the pains and penalties prescribed by the law of the land for perjury.

No entry shall be admitted in which there are amendments or erasures, nor shall any invoice be admitted except the original, signed one, of the manufacturer, producer, or seller of the merchandise. Invoices shall be made on firm and durable paper, in a legible manner, and on one side of the paper only, in indelible ink. They shall be made in duplicate, except in case of entries for warehouse or immediate transportation, when they shall be in triplicate.

When the two copies of the declaration do not exactly correspond, the official of the custom-house in charge of the same shall advise the consignee in order that he may present a proper entry without extending the period prescribed by these regulations.

ART. 98. Every entry presented to the custom-house shall be accompanied by the following:

1. The original bill of lading or bills of lading covering the merchandise declared, consigned, or duly indorsed to the importer.
2. The invoices, expressing in detail the merchandise declared, spe-

cifying the number of packages, their marks, gross weight, dutiable weight, class, detailed contents, component material, detailed price, and the total value, including a statement of the expenses incurred by the merchandise up to the time they were packed and ready for shipment to Cuba.

3. The consumption permit must correspond to the entry.

ART. 99. All imported merchandise shall be invoiced in the currency of the place or country from which it is imported, and, if purchased, in the kind of money in which it was actually paid for.

For the purpose of the assessment of duties, the kind of money expressed in the invoice shall be reduced to the currency of the United States at the rate of value of foreign money, as established by the Secretary of the Treasury of the United States, upon the first days of January, April, July, and October of every year. The date of the invoice will indicate the value of the money.

When the standard value of a foreign coin has not been thus proclaimed, any invoice expressed in such coin must be accompanied by a consular certificate, showing its value in standard gold dollars of the United States.

The gold coins provided for in the Customs Tariff for Ports in the Island of Cuba as being acceptable in the payment of duties shall be received at their value as stated in said tariff in unlimited sums.

Silver dollars of the United States, other than trade dollars, and pesos (at the value fixed for the peso in the Customs Tariff for Ports in the Island of Cuba) are receivable for duties in unlimited sums.

Fractional silver coins of the United States are receivable for duties in sums not exceeding ten dollars in any one payment, or Spanish fractional silver coins in sums not exceeding an equivalent amount according to the rates fixed in the Customs Tariff for Ports in the Island of Cuba.

ART. 100. The values of imported merchandise subject to duty ad valorem, and duty imposed upon and regulated in any manner by the value thereof, shall be the actual market value or wholesale price of such merchandise, as bought and sold in usual wholesale quantities at the time of exportation to the island of Cuba, in the principal markets of the country from whence imported, and in the condition in which such merchandise is there bought or sold for exportation to the island of Cuba, or consigned to the island of Cuba for sale, including the value of all cartons, cases, crates, boxes, sacks, and coverings of any kind, and all other costs, charges, and expenses incident to placing the merchandise in condition packed and ready for shipment to the island of Cuba.

ART. 101. Collectors shall make a preliminary examination of all import entries of merchandise, and when found inaccurate or incomplete, either in the description of articles or in omitting proper quantities or values, or for any error apparent on the face of the entry, shall require the correction thereof before the acceptance of the entry.

ART. 102. Collectors shall consider the country in which the imported merchandise was invoiced as the country whence the same was imported, and shall direct that all entries of imported merchandise shall indicate both the country and place where the invoice was dated, and the country and port whence the final shipment was made, together with the nationality and motive power of the vessel in which the same was brought.

ART. 103. Every invoice must represent a distinct shipment to one consignee or firm of consignees by one vessel. If, by reason of accident or short shipment, a portion thereof should fail to arrive, an extract from the original invoice, certified by the collector, may be used for entering the remaining packages, but the consolidation of separate shipments on one invoice shall not be permitted.

ART. 104. No merchandise over \$100 in value, except personal effects accompanying a passenger, shall be admitted to entry without the production of the invoice thereof, unless the importer shall make application under oath showing that it is impracticable to produce such invoice. This affidavit shall be accompanied by a statement of value or pro forma invoice, which shall be verified by declaration in the following form:

APPLICATION TO ENTER GOODS WITHOUT INVOICE.

To the Collector of Customs, Port of ————:

I, ————, of the firm of ————, do hereby make application on oath to enter without invoice ————, imported by ————, in the ————, from ————.

The ground of this application is that no invoice of the goods above described has been received; that the causes of the nonreceipt of such invoices are, to the best of my knowledge, information, and belief, as follows:

And the prices set forth in the statement hereto annexed show the actual cost or the foreign-market value of the merchandise embraced therein to the best of my knowledge, information, and belief.

(Signed.)

—————.

—————.

Sworn to before me this ——— day of ———, ———.

—————.

The collector shall make careful examination of the facts and require the production of any available evidence to assist in the ascertainment of the value of the importation, and he will allow no entry of merchandise over \$100 in value under this provision unless he shall be satisfied that the failure to produce an invoice is due to causes beyond the control of the importer; and the latter shall be required to give bond for the production of an invoice. The penalty named for failure shall be double the amount of estimated duties or, if the merchandise be free of duty, the sum of \$100. When the invoice is received it must be compared with the entry, and any duty remaining due must be

collected. The provisions of the law regarding penalties for undervaluation are alike applicable to pro forma invoices, but no refund of duty shall be made because an invoice exhibits a lower value than that shown by the pro forma invoice.

ART. 105. All merchandise shall be so packed as to facilitate the examination and appraisal thereof, and its boxes or cases shall be legibly marked as to the contents. Any consignment not packed in compliance with this article will be detained for a special examination.

ART. 106. Goods found to be fraudulently entered, either as to value, quantity, or character, shall be forfeited to the Government, and any goods which have been subject to an attempt to import into Cuba without being duly entered and declared and duly passed at the custom-house shall be seized and confiscated.

ART. 107. Any goods, wares, or merchandise not duly entered within ninety days after importation shall be sold at auction by order of the collector of customs for Cuba, on approval of the military governor, after five days' public notice, conspicuously posted at the port: *Provided*, That the period of ninety days may be extended by the collector of customs for Cuba, not exceeding a period of six months from the date of the importation, when good and sufficient reasons therefor are presented to him, if, in his judgment, the interests of the Government will permit such extension. The proceeds of such sale shall be kept for ten days subject to the demand of the importer, after deduction of the proper duties on the goods and all expenses of storage and sale: *And it is further provided*, That the customs authorities may destroy any unclaimed leaf tobacco at the expiration of the period allowed for entry, provided that the collector of customs shall be satisfied that the duty accruing upon said tobacco would not be realized by the sale thereof.

ART. 108. All seized and confiscated merchandise shall be sold in the same way, and the proceeds of such sale, after deducting all charges, shall be delivered to the collector or other customs official duly designated for that purpose: *Provided*, That the customs authorities may destroy seized and confiscated leaf tobacco so as to prevent its sale at less than the duty imposed by the tariff.

ART. 109. The merchandise deposited in the general-order stores which, in the opinion of the collector, may, by depreciation in value, damage, leakage, or other cause, result to be insufficient, upon being sold at auction, to pay duties for storage and other charges corresponding thereto, if it be permitted to remain in the warehouse during the period prescribed by the regulations, shall be sold at public auction, after due public notice, as specified above, of not less than three or more than six days, as the collector may determine, and the proceeds disposed of and accounted for as on regular sales of unclaimed goods, except that in case of abandoned goods no part of the proceeds shall be returned to the owner of the merchandise.

ART. 110. From the proceeds accruing on such sales of warehoused goods will be paid the following charges in the order named:

1. Expenses of appraisal, advertisement, and sale.
2. Duties at the same rate as if the merchandise had been regularly withdrawn for consumption.
3. Any other charges due the Cuban customs in connection with the goods.
4. Any sum due for freight on the voyage of importation of which due notice shall have been given in the manner hereinafter prescribed.
5. Storage and other charges for which the goods may be liable.

In case of warehoused goods in public stores, the storage dues thereon will be paid from the proceeds next after the expenses of sale.

No allowance for damage to goods, wares, and merchandise imported into Cuba, incurred during the voyage of importation, shall be made in the estimation and liquidation of duties thereon; but the importer thereof may within ten days after entry abandon all or any portion of the goods, wares, and merchandise included in any invoice, and be relieved from the payment of duty on the portion so abandoned: *Provided*, That the portion so abandoned shall amount to ten per centum, or over, of the total value or quantity of the invoice, and the property so abandoned shall be sold by public auction or otherwise disposed of for the account and credit of the island of Cuba under such regulations as the military governor may prescribe. All merchandise so abandoned by the importer thereof shall be delivered by such importer at such place within the port of arrival as the chief officer of customs may direct, and on the failure of the importer to comply with the directions of the collector in this respect, the abandoned merchandise shall be disposed of by the collector at the expense of such importer.

ART. 111. No merchandise shall be imported into Cuba in vessels of less than thirty tons, gross capacity, under penalty of confiscation.

ART. 112. Upon the declaration being presented and found correct it shall be admitted and duly numbered and compared with the manifest, and the invoice or invoices and bills of lading shall also be compared therewith.

They shall then be noted in a register, in which shall be set forth the number of the declaration, that of the manifest, its paragraph, name of the vessel, the port from whence cleared, and the name of the consignee.

Note having been taken of the declarations, statements shall be made of those corresponding to the wharves, the appraiser's warehouse, and the bonded warehouse division, in order that they may be delivered to the respective chiefs of these departments, taking their receipt therefor, and said chiefs of departments, before proceeding to the appraisal, shall have the entries duly recorded in a book kept for that purpose.

ART. 113. When a consignment is renounced, or the consignee designated by the captain can not be found, or has died without leaving



anyone to take his place, or when, in the case of cargoes consigned to order, no one should present himself as the consignee of the same within the period of time established by these regulations, the collector of customs shall order the packages stored at the captain's expense, remitting the documents and all information relating to the shipment, as expressed in article 97, and such other data as he may acquire to the consul or vice-consul of the nation of the shipper, if he should be a foreigner, or to the governor-general of the island, in case he should be an American, in order that said official may, in accordance with the commercial code, nominate some responsible merchant to fill the place of the consignee.

In the same way the consul or vice-consul, or the merchant so named, shall be considered as the owners of the merchandise, and can, as such, enter it within the periods allowed.

In case these periods have transpired without any authorized person presenting himself to dispatch the goods they shall be considered to be abandoned.

ART. 114. Whenever the collector of customs receives due notification of any lien for freight upon any imported merchandise he shall refuse to deliver the same until such lien has been satisfied.

Every person claiming a lien for freight upon imported goods in the possession of the collector must serve upon him or his deputy a notice designating particularly the goods, packages, marks, and number; the warehouse in which the same are stored; the names of the owners, importers, or consignees, and the vessel by which the goods were imported; the date of the arrival of the goods and the amount claimed. This must be signed by the claimant or his duly authorized agent, and verified by affidavit. Liens on goods entered for immediate transportation without appraisement can not be accepted by the collector of the port of first arrival, but must be filed with the collector at the port of destination.

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## CHAPTER VIII.

### DISCHARGE OF MERCHANDISE.

ART. 115. The discharge of a vessel shall be permitted by the collector after proper entry of such vessel in the custom-house.

The cargo for immediate delivery may be landed immediately, after the granting of a permit to land, upon the wharves and at warehouses specially designated by the collector for the purpose.

The discharge of cargo shall be made under the supervision of inspectors assigned to duty by the surveyor, and the responsibility of the captain to the custom-house shall not cease until the packages are properly delivered to the consignee or taken possession of by the collector, or until those packages which are to be examined and appraised

in the appraiser's warehouse shall have entered therein. The consignee of the vessel shall always be responsible for any shortage or deficiencies which may result.

All goods landed, no permit for the delivery of which has been received by the inspector at the expiration of the time allowed by the collector for such goods to remain upon the wharves, shall be sent to the general order store. Storage and all other expenses on such goods must be paid by the owner or consignee, or, when the goods are sold as unclaimed, from the proceeds. The discharge must be effected in the number of days prescribed in these regulations and only exceed them in special cases. For good reason, after petition has been made by the consignee in each case, the collector of customs may grant an extension.

ART. 116. All goods not duly entered for payment of duty within ten days after their arrival in port shall be taken possession of by the collector of customs as unclaimed and placed in store, to be disposed of as provided for in article 107.

The discharge must be made by the vessels in the places designated for the purpose by the collector. If the cargo is to be discharged in lighters, the master of the lighter, who should be under bond, shall receive from the customs inspector who is in charge on board of the vessel a signed note stating the part of the cargo which the lighter conveys, and which is to go from the vessel to the wharf, and said lighters shall be accompanied, whenever it is considered necessary, by a customs inspector, who shall not permit them to approach the side of any other vessel nor to stop on the way. When the lighters arrive at the wharf, the packages which they convey shall be immediately discharged, under the supervision of customs inspectors detailed by the surveyor to take charge of the cargo, who shall examine them and check their classes, marks, and numbers with those expressed in the lighter's *conduce*, placing the word "correct" if he finds them correct. Otherwise he shall inform the surveyor of the port, in order that the proper action may be taken.

ART. 117. The master of any steamship trading between foreign ports and ports in the island of Cuba, and running in a regularly established steamship line, which line shall have been in existence and running steamers in the foreign trade for not less than six months previous to the application of the privilege extended by this article, arriving in a port of entry, may make preliminary entry of the vessel by making oath or affirmation to the truth of the statements contained in his manifest and delivering said manifest to the customs officer, who shall board said vessel, whereupon the unloading of such vessel may proceed upon arrival at the wharf, under the special regulations governing such cases. Any customs officer who may be designated for that purpose by the collector of the port is authorized to administer the oath or affirmation herein provided for.

ART. 118. The details of the discharge of merchandise shall be arranged in accordance with the general provisions established in relation to the duties of the surveyor of the port and his employés.

Merchandise brought in a vessel from a foreign port can not be unladen or delivered but in open day except by special permission from the collector; and upon the execution of a sufficient bond, conditioned to indemnify him for all losses and liabilities which may be occasioned by reason of the granting of such permit, the collector shall grant a special permission to any vessel from a foreign port to unlade cargo at night. When permits are granted to discharge at night or on holidays, for the convenience of the vessel owner or consignee, a uniform and reasonable compensation shall be allowed to inspectors for their services, to be paid, through the collector, by said vessel owner or consignee.

In general, where services are rendered by the custom-house at unusual hours for the benefit of the vessel or importer, they will be charged by the custom-house to said vessels or importers, respectively.

ART. 119. No package shall remain upon any wharves over night, except upon the wharves of the custom-house, nor shall any package remain at any place where it is landed, unless there be buildings suitable for its safe-keeping while it remains under the custody of the custom-house and under the supervision and responsibility of the surveyor of the port.

Whenever, on account of the cargo being very valuable, it shall be considered necessary to take measures of safety therefor, the collector of customs, or, in his absence, the surveyor of the port, may order that every day, upon commencing and terminating the discharge of a vessel, the seals mentioned in article 31 be removed and replaced, respectively. This will be done in the presence of one of the officials of the custom-house, care being taken that, if practicable, the same person removes the seals who placed them, after an examination as to their integrity.

If, upon removing the seals in the morning to continue the discharge, notice be given by the official in charge of this operation that the seals have been broken or in any way tampered with, immediate report shall be made to the collector of customs in order that he may proceed to a prompt investigation of the matter, and impose the penalty which he may consider proper, the sum not to exceed \$500 nor to be less than \$100; and if it results that any part of the cargo has been extracted during the night, whatever be its quantity, official report, fixing the blame therefor, if possible, shall be made to the collector of customs, for procedure as contemplated in article 224.

ART 120. All packages landed for their appraisal in the appraisers' warehouses, where there are such, shall be conveyed, under the custody of the surveyor of the port, to the entrance gate of the custom-house or warehouse, where the respective storekeepers shall receive

them, together with the certificate of weight furnished by the surveyor of the port; the weight thereof shall be noted in a book and a receipt delivered therefor. The storekeeper shall then make an examination to see whether the packages are in good condition, or whether they are broken or bear signs of damage or of having been opened, and in such cases he shall report the matter to the collector of customs, through the proper channels, making the proper notes of the fact in his books.

The storekeeper's book shall have the necessary headings to set forth the number of packages, their classes, marks, numbers, gross weight, consignee, date of their entrance, importing vessel, origin of the same, and observations.

The storekeepers and the employés of the appraiser store or warehouse shall securely guard the merchandise and take care to prevent any damage or confusion of packages at the time of appraisal. To this end they will place the bales, sacks, cases, and other packages separately and in good order, according to consignments, and with the marks in plain view.

In order that the merchandise in the warehouses may be well guarded, the storekeeper shall always keep the keys thereof in his own possession and personally superintend the opening and closing of the doors and windows. He shall be required to be in constant attendance at the stores from eight o'clock a. m. to five p. m., except during the time necessary for meals, when the stores shall be closed. Collectors may extend the hours of attendance in any special instance, according to their discretion.

He shall not permit goods to be received, delivered, sampled, packed, or repacked, except in his presence or the presence of some person designated as an assistant by the collector, nor without a written order from such collector.

ART. 121. When vessels bring merchandise in bulk the collector of customs shall dictate such rules as he may consider necessary for the conduct of their unloading.

Cattle may be landed as soon as vessels arrive in port, within working hours, provided the consignee bonds himself to comply with all formalities prescribed, and to satisfy all duties corresponding thereto. The official veterinarian of the port, whenever required by laws regulating the inspection of cattle, shall be present at the landing of cattle for the proper inspection of same, and no cattle shall be delivered without the certificate of health signed by said veterinarian.

ART. 122. In order to land passengers' baggage, it will be sufficient that the inspector in charge on board of the vessel sign the baggage manifest which the captain shall present to him, sending it to the chief of the passenger department, after comparing it with the number of packages which are disembarked.

Whenever it is deemed necessary, an inspector shall accompany the baggage to the wharf where it is to be examined, and the officer who

makes the examination thereof shall certify to the same, and to its conformity, at the foot of the said manifest.

After the filing of a bond guaranteeing their reembarcation, the landing of sails, casks, chronometers, and other portions of the vessel's equipment shall be permitted, in order that the same may be repaired.

All dutiable merchandise brought by passengers coming from foreign ports which exceed \$500 in value, shall be duly entered in the custom-house for its appraisal and assessment of duties in regular form; but if the value of such merchandise be less than said amount, the entry of the same can be made by verbal declaration. Cigars brought by passengers, evidently for their bona fide personal use, can be admitted free of duty in quantities not exceeding 100.

The duties on passenger effects when not amounting to more than one dollar in any one case may be remitted by the collector.

ART. 123. Where goods and wares consigned to a port in Cuba are landed in error at a different port in Cuba, and the collector at the original port of landing of such merchandise, etc., on investigation is convinced by the manifest and other evidence of such error, he may permit the reshipment of said merchandise, etc., to its proper destination under transportation bond and regulations governing same. Said bond may be executed by designated agent or owner of the merchandise or agent of the vessel landing the merchandise, etc., in error. The merchandise shall be transshipped on another vessel of the same line unless in the judgment of the collector this will cause unnecessary delay, in which case he may permit the transshipment by a vessel of any regular line.

The collector at the final port of destination on receiving such merchandise, etc., will officially notify the collector at the original port of landing where transportation bond was executed, which official notice shall be authority for the cancelling of the "transportation bond."

Merchandise, etc., thus transported in bond must be examined at the original port of landing, in order to establish that the landing was in error and not with intent to defraud. The collector at the first port of landing will inform the collector of the port of destination of the result of the examination. The collector at the port of destination of such merchandise, etc., transported in bond shall require same to be regularly entered for consumption, and collect duties on same after appraisal.

All merchandise, etc., thus transported in bond shall be corded and sealed by the collector at the original port of entry at the expense of the consignor; and all vessels acting as common carriers for the transportation of such merchandise in sealed packages in bond shall be held responsible for their safe delivery at the port of destination, and shall have same noted on the vessel's manifest as "merchandise in bond."

### Post Quartermaster Sergeants. (CONTINUED.)

Edwards, W.....	Santiago.....	Office of Depot Quartermaster.
Bushby, T.....	San Luis.....	Office of Post Quartermaster.
Colesworthy C. G.	Cienfuegos.....	Office of Depot Quartermaster.
Macleod, A.....	Guantánamo.....	Office of Post Quartermaster.
Retsch, H.....	Baracoa.....	Office of Post Quartermaster.
Reilly, W.....	Marianao .....	Office of Depot Quartermaster.

### Quartermaster's Agents.

BATABANO, seaport.—point of departure of Menendez & Co's steamers for Santiago de Cuba and intermediate ports; and of vessels for Isle of Pines..... J. A. Maury.

CAUTO, interior—transfer point between Manzanillo and Bayamo..... W. F. Walsh.  
HAVANA, seaport..... C. N. Bear.

JUCARO, seaport for post of Ciego de Avila, and southern terminal of Military Railway..... C. Keating.

TUNAS, seaport for post of Sancti Spiritus..... H. D. Bristol.

### Subsistence Department.

Bliss T. H.....	Major, U. S. A.....	Chief of Customs Service.
Wood, O. E.....	Major, U. S. V.....	Chief Commissary of the Division and Dept. Prov. Havana and P. del Rio.
Deming, P. C.....	Captain, U. S. V.....	Depot Commissary, Tricornia.
Pomroy, F. H.....	„ .....	Depot Commissary, Nuevitas.
Ryan, T. F.....	„ .....	Depot Coms'y Santiago. Chief Commissary of Dept.
Peterson, M. R.....	„ U. S. A.....	Chief Coms'y Dept. Mat. and S. C.
Mothersill, P.....	„ U. S. V.....	Chief Coms'y Dept. Havana.

be of no appreciable mercantile value, and report the same upon your return. If you find it to be of appreciable mercantile value, you will indorse the fact upon this permit and return it to the collector for further orders.

\_\_\_\_\_,  
*Collector.*

ART. 128. Any Government official seizing a contraband vessel, as soon as the latter shall be considered as such, shall have all hatches and openings in the same closed and sealed, and they shall only be opened in the presence of the collector of customs at the port to which the vessel proceeds, to whom the capture shall be delivered, together with the records of the seizure and all papers found on board.

Before the vessel is boarded by the collector notice shall be served upon the consul of the nation to which the vessel belongs. In the failure of either the consul or his representative to appear at the appointed time the necessary formalities shall proceed without his presence.

In the presence of the above-mentioned persons the hatches shall be opened, and as the packages are taken from the hold a statement shall be made out setting forth the classes of the packages, their number and marks, which statement shall be signed by the collector and the consul, or his representative, if any there be. The surveyor of the port shall verify this statement and order the goods sent to the custom-house, where they shall be received by the storekeeper. They shall then be checked off on the above-mentioned statement, strapped and sealed, and placed in the warehouse designated for the purpose.

The collector of customs shall issue a certificate, based upon the statements rendered in connection with the seizure, which certificate shall be delivered to the Government official making the seizure, to be attached to the other documents in the case and remitted to the governor-general in order that he may take such action as he may deem proper.

The expenses of discharge and all others incurred in connection with the seizure shall be paid from the proceeds of the sale of the seized merchandise.

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## CHAPTER IX.

### APPRAISAL OF MERCHANDISE.

ART. 129. The officer in charge of the appraisers' division shall be the direct representative of the collector of customs for Cuba in all matters pertaining to the appraisal of merchandise, whether dutiable or free.

ART. 130. Under the orders of the collector he will supervise the appraisal, through his assistants, of all merchandise, goods, wares, and effects of whatever description which may be presented to him

**Medical Department, (CONTINUED.)**

Davis, J. G.....	Major, U. S. V.....	Sanitary Inspector Havana.
Win, W. B.....	" .....	Comdg. Mil. Hospital Matanzas.
Echeverría, R.....	" .....	Duty at Mil. Hospital No. 1, Havana.
Laine, D. T.....	" .....	Asst. to Chief Surgeon of Division.
Ducker, O.....	" .....	Comdg. Las Animas Hospital, Havana.
Combe, F. J.....	" .....	Medical Supply Depot, Santiago.
Kean, J. R.....	" .....	Chief Surgeon Dept. Prov. Hav. and P. del Río.
Wyeth, M. C.....	Major, U. S. A.....	Medical Supply Depot Div. of Cuba.
Stark, A. N.....	Captain, U. S. A.....	Post Surgeon, Columbia Bks.
Godfrey, G. C. M..	" .....	Post Surgeon, Pinar del Río.
Quinton, W. W.....	" .....	Post Surgeon, Guanajay.
Stone, J. H.....	1st Lieut. U. S. A.....	Post Surgeon, Hamitos Bks.
Darnall, C. R.....	" .....	Duty Military Hospital No. 1.
Webber, H. A.....	" .....	Post Surgeon, Nuevitas.
Shimer, I. A.....	" .....	General Hospital, Santiago.
Baker, D.....	" .....	Post Surgeon, Paso Caballo.
Truby, E. A.....	" .....	Duty Columbia Barracks.
Church, J. C.....	" .....	Sanitary Inspector, Santiago.
Usher, F. M. C.....	" .....	Post Surgeon, Santa Cristina Bks.
Wolfe, E. P.....	" .....	Co ndg. Dist. Hosp. at Puerto Príncipe.
Williamson, L.....	" .....	Post Surgeon Hdqrs 2d Artillery.

**Hospital, Stewards, U. S. Army.**

Brown, Clark L.....	Post Hospital, Quemados.
Costine, Edward F.....	Sagua Barracks.
Denning, Michael.....	Military Hospital No. 1, Havana.
Dykstra, Joseph.....	Guanajay Barracks.
Gibboney, Stuart G.....	Military Hospital, Matanzas.
Halstead, Frederick.....	Military Hospital No. 1, Havana.
Hastings, Oliver H.....	Chief Surgeon's Office, Quemados.
Jacobs, Charles C.....	Chief Surgeon's Office, Matanzas.
Johnson, Henry.....	Pinar del Río Barracks.
Leonard, Charles L.....	Ciego de Avila.
Lommel, Nicholas.....	Chief Surgeon's Office, Santiago.



**ART. 137.** At ports where appraisers are appointed in pursuance with law, appraisements shall be made by them. Where there are no appraisers, appraisements shall be made by the collector or other authorized officer.

Appraisers or collectors, as the case may be, are authorized to call before them and examine, upon oath or affirmation, any owner, importer, consignee, or other person, touching any matter or thing which they may deem material respecting any imported merchandise in determining the duty thereupon, and to require the production of any letters, accounts, or invoices relating to such merchandise, and such testimony may be reduced to writing, and shall be filed with the collector.

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## CHAPTER X.

### BAGGAGE.

**ART. 138.** Passengers' baggage shall be examined as soon as landed, except during the nighttime. Before despatching the baggage the inspector shall ask the passenger if he has dutiable merchandise or effects to declare. The examination shall then be made in the presence of the owner or his representative for the appraisal of such goods as may be dutiable within the amount, viz, \$500, prescribed in Article 122.

The duties shall be made out in a stub book and, after being duly liquidated, the amount of the same shall be paid to the cashier and the detached slips shall be subject to the same formalities as the regular entries.

The passengers shall be searched only in case of extreme suspicion of fraud, and always with due regard to sex and class.

If upon terminating the examination of the baggage any packages remain whose owners do not appear to claim them, the collector shall order them weighed, strapped, and sealed and sent to the warehouse for unclaimed goods, where they shall be subject to the same proceeding prescribed for unclaimed merchandise.

### EXAMINATION OF MAILS.

**ART. 139.** Customs officers shall be detailed from time to time to examine packages received in the foreign mails, and duties on all dutiable articles authorized to be imported by foreign mails must be paid or secured as in other cases.

**ART. 140.** Mail bags sealed at a foreign post-office may be delivered unopened to the postmaster, to be forwarded or disposed of by him, care being taken that all articles unlawfully imported therein shall be examined by the customs officer nearest the place of delivery.

**ART. 141.** When letters, sealed packages, or packages the wrappers of which can not be removed without destroying them are received

from a foreign country, which are addressed to persons residing within the delivery of the post-office at the port of entry at which they are first received, and the postmaster at the said office at which they are received has reason to believe they contain articles liable to customs duties, he shall immediately notify the customs officer of the district in which his office is located, or the customs officer designated for the purpose of examining the mails arriving from foreign countries, of the receipt of such letters or packages, and their several addresses, and if any letter or package of this character be addressed to a person residing within the delivery of his office the postmaster shall also, at the time of its arrival, notify the addressee thereof that such letter or package has been received and is believed to contain articles liable to customs duties, and that he must appear at the post-office at the time designated in said notice and receive and open said letter or package in the presence of an officer of the customs.

ART. 142. Letters, all registered mail and sealed packages, or packages the wrappers of which can not be removed without destroying them, which are supposed to contain articles liable to customs duties, and which are addressed to persons residing outside of the delivery of the post-office at the port of entry where they were first received from abroad, shall be forwarded to their respective destinations and marked "Supposed liable to customs duties," and upon their receipt at the offices of destination the postmasters thereof shall notify the nearest customs officer and the parties addressed in the same manner and to the same effect as provided for in the preceding article. If a reply is not received from the customs officer within twenty days from the date of said notice, the package may be delivered to the addressee without regard to the stamp "Supposed liable to customs duties." But if the customs officer should request the postmaster to allow the package to be opened in his presence by the addressee, the postmaster shall comply with said request and immediately report the nature and probable value of the contents to the customs officer (retaining the package in his possession), whereupon the customs officer shall inform the postmaster of the amount of the customs charges due upon said package, which amount the postmaster shall collect upon the final delivery of the package and transmit, under official registration, to the customs officer. If, however, the customs officer shall deem it inexpedient to determine, upon the postmaster's report, the customs charges upon any such package, it may be sent, at his request and under official registration, to the postmaster at the place at which the customs officer is located, in whose custody it may be examined and the duty thereon computed by the customs officer, after which it shall be returned to the postmaster at the office of destination for delivery to the addressee upon payment of the duty thus assessed.

Nothing herein shall authorize custom officers to seize any letter or sealed package while in the custody of the postmaster, nor until after

its delivery to the addressee. And no letter or sealed package shall be detained at the office of delivery longer than may be necessary for the appearance of a customs officer and of the addressee.

ART. 143. Unsealed packages received in the mails from foreign countries (except registered articles which are to be treated as if sealed), which contain articles liable to customs duties, shall be delivered by the postmaster at the office of receipt to the officer of the customs for the collection of the duties chargeable thereon, with notice of such delivery to the person addressed.

ART. 144. Postmasters are expected to extend to customs officers, specially designated for that duty, such facilities as may be necessary to enable them to examine mail matter arriving in the mails from foreign countries, in order to protect the customs revenue.

ART. 145. Printed matter imported through the mails is liable to duty, except periodicals in pamphlet form and newspapers; the expression "printed matter" being defined by the statute as including the production upon paper by any process except that of handwriting, of any words, letters, characters, figures, or images, or of any combination thereof, not having the character of an actual personal correspondence.

ART. 146. All lottery tickets and printed matter relating to lotteries found by an officer of customs designated to inspect supposed dutiable matter shall be returned by said officer to the postmaster for disposition in accordance with the orders of the military governor.

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## CHAPTER XI.

### EXPORTATIONS.

ART. 147. Captains desiring to qualify their vessels for the exportation of merchandise shall present to the collector of customs an application therefor in due form.

The exporter shall present to the collector of customs a policy in duplicate, containing the following items:

1. Name, tonnage, nationality, and captain of the exporting vessel.
2. Port or ports of destination.
3. Name of shipper or shippers.
4. Number of packages, class, marks, numbers, and gross weight.
5. The class of merchandise in detail, specifying whether it is domestic or foreign.
6. Person or persons to whom consigned.

ART. 148. Upon receiving the policies the collector shall place upon the original policy an order permitting the lading of the merchandise to be exported, after proper examination by the inspector designated for that purpose.

The inspector designated shall make the examination, entering the



## CHAPTER XII.

## TRANSITS AND TRANSSHIPMENTS.

ART. 154. The word *transit* shall be understood to mean the passing of foreign merchandise touching at ports of the island (but without being discharged) without the payment of duties.

The transit of merchandise touching in ports of Cuba, but without entering into its territory, will be permitted under the following conditions:

1. The captain shall state in his manifest the packages carried in transit in the same form specified for those which he brings for immediate unloading.

2. The point to which the merchandise is consigned shall not be the same from which it was shipped nor any of those at which the vessel has previously touched in the same voyage.

These vessels shall be kept under the supervision of customs inspectors during their stay in port.

ART. 155. If any vessel arrives in port carrying merchandise in transit for ports in Cuba, and the captain makes application to land merchandise for foreign ports, carrying a manifest, the collector of customs shall note in the manifest the general class of such domestic merchandise, and the number of the policy corresponding to their shipment, in order that their origin may be verified in the other ports in which the vessel enters.

ART. 156. The transshipment of merchandise, i. e., the transfer of the same from one vessel to another *of the same line*, will be permitted, provided such merchandise has been manifested by the captain as in transit for foreign ports, subject to the following rules:

1. The consignee shall make application for permission to make such transshipment, directed to the collector of customs, in writing, within twenty-four hours after the admission of the manifest. In this application he shall state the name of the vessel bringing such merchandise, the paragraphs of the manifest in which the same appears, and the name of the vessel which is to receive it.

The application shall be in duplicate and in regular form, and shall be noted in a special record, with the following headings:

- (a) Number of the petition, placed at the head of the same.
- (b) Date of the petition.
- (c) Number of the manifest.
- (d) Name of vessel bringing the merchandise.
- (e) Name of the vessel receiving the same.
- (f) Name of the shipper.
- (g) Point of destination.

2. The collector of customs will issue the permit, if expedient, directing the surveyor of the port to superintend the transfer of the merchandise and to have the packages verified under the supervision

of the customs inspectors. The number of the permit shall be noted in the margin of the corresponding paragraph of the manifest.

3. The packages shall be checked off with the papers of the vessel and the bills of lading, in order to verify their agreement with the manifest and with the application for transshipment.

4. The transfer itself shall be made, either from vessel to vessel, placing them side by side, or by the use of lighters, which shall, whenever deemed necessary, be accompanied by customs inspectors.

5. When the transfer has been completed the surveyor shall certify to the same on the application for the transfer, upon which the captain of the receiving vessel shall also certify to their receipt. The original of this application shall be filed in the custom-house, and the copy authorized by the collector of customs shall be delivered to the captain of the receiving vessel.

If the transfer is made to vessels which are to touch at ports of the island and then proceed to foreign ports with the transshipped merchandise, the fact that such merchandise is in transit for foreign ports must be stated in the general manifest.

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## CHAPTER XIII.

### ABANDONMENT OF MERCHANDISE.

ART. 157. By abandonment of merchandise is meant the renunciation by the consignee of his property.

In the case of abandoned goods no part of the proceeds of sale shall be returned to the owner of the merchandise.

The abandonment is *expressed* when it is made by the interested party in writing, directed to the collector of customs.

The abandonment is *implied* when it so appears from the actions of the interested party which leave no room for doubt, such as in the following cases:

1. When on the presentation of the manifest by the captain the identity of the party designated by him as consignee can not be ascertained, or he has died without having left anyone to take his place, or renounces the designation, and neither the consul of the nation of the shipper or the merchant named will admit the consignment.

2. When the periods allowed by these regulations for storage or for entry for bonded warehouse have expired, and the notices required by the regulations have been given to the consignee and the latter fails to appear.

3. When, after the consignee has made his entry and the same has been accepted by the collector, he or his properly authorized representative fails to appear within ninety days to claim the goods and pay the corresponding duties thereon.

4. When passengers bringing concealed merchandise do not pay the

penalties imposed upon them according to section 2 of article 226 of these regulations within three days after the final decision of the collector of customs. In all such cases the collector shall first decide whether the provisions of article 227 apply.

5. When the duties have been paid and the interested party fails to remove his merchandise from the custom-house within ninety days after the payment thereof.

6. In any other case, not herein provided for, in which the intention of the owner may be as clearly inferred as in the six preceding.

Whenever the interested party appears within the periods prescribed in this article there shall be no occasion for the declaration of abandonment, but he shall be required to pay the corresponding duties, storage charges, and all other expenses which have been incurred by the merchandise.

The explicit statement of abandonment may be made at any time from the moment of the presentation of the entry until immediately before making the payment of the duties, and the interested party is thereupon relieved from the payment of the same.

ART. 158. In order that the merchandise may be considered abandoned, the same must be declared as such, in writing, by the collector of customs.

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## CHAPTER XIV.

### ENTRANCE OF VESSELS THROUGH STRESS OF WEATHER.

ART. 159. Whenever a vessel from a foreign port is compelled by stress of weather or other necessity to put into any other port than that of her destination, the master, together with the person next in command, within twenty-four hours after arrival, shall make protest in the usual form, upon oath before a duly authorized person, setting forth the causes or circumstances of such necessity. This protest, if not made before the collector, must be produced to him and the naval officer and a copy thereof lodged with them.

The master of such vessel shall make report to the collector within forty-eight hours after arrival, and if it appears to the collector, by the certificate of the surveyor of the port, or, if there be no such officer, by the certificate of two reputable merchants, to be named by the collector, that it is necessary to unlade the vessel, the collector shall grant a permit and detail an inspector to supervise the unloading; and the merchandise so unladen shall be stored under custody of the collector.

At the request of the master of the vessel, or of the owner thereof, the collector shall grant permission to enter and pay the duties on and dispose of such part of the cargo as may be of a perishable nature or as may be necessary to defray the expenses attending the vessel.

Curtis, E. S.....	2d Artillery.....	27 Aug. 96.
Nicholson, W. J.....	7th Cavalry.....	27 Aug. 96.
Terrett, C. P.....	8th Infantry.....	27 Aug. 96.
Phister, N. P.....	1st Infantry.....	4 Nov. 96.
Brewer, E. P.....	7th Cavalry.....	8 Dec. 96.
McCarthy, D. E.....	Q. M. Dept.....	22 Dec 96.
Brett, L. M.....	2d Cavalry.....	13 Jan. 97.
Bell, S. H.....	Post Chaplain.....	29 Jan. 97.
Liggett, H.....	5th Infantry.....	1 June 97.
Lewis, T. J.....	2d Cavalry.....	13 June 97.
Parker, M. D.....	8th Infantry.....	7 Aug. 97.
Mercer, W. A.....	7th Cavalry.....	7 Aug. 97.
Anderson, W. T.....	10th Cavalry.....	16 Aug. 97.
Grierson, C. H.....	10th Cavalry.....	6 Nov. 97.
Mallory, J. S.....	2d Infantry.....	3 Dec. 97.
Watson, J. W.....	10th Cavalry.....	11 Jan. 98.
Benham, H. H.....	2d Infantry.....	1 Feb. 98.
Crawford, M.....	2d Artillery.....	8 March 98.
Parkhurst, C. D.....	2d Artillery.....	8 March 98.
Niles, L.....	2d Artillery.....	8 March 98.
Van Vliet, R. C.....	10th Infantry.....	8 March 98.
Trippe, P. E.....	10th Cavalry.....	11 March 98.
Kirby, H.....	10th Infantry.....	26 April 98.
Partello, J. M. T.....	5th Infantry.....	26 April 98.
French, W. E. P.....	2d Infantry.....	26 April 98.
Fremont, F. P.....	2d Infantry.....	26 April 98.
Bell, G. Jr.....	1st Infantry.....	26 April 98.
Clarke, C. J. T.....	10th Infantry.....	26 April 98.
Chandler, E.....	1st Infantry.....	26 April 98.
Shollenberger, J. H.....	10th Infantry.....	26 April 98.
Vogdes, C. B.....	1st Infantry.....	26 April 98.
Stafford, J.....	8th Infantry.....	26 April 98.
Kernan, F. J.....	2d Infantry.....	26 April 98.
Kennedy, C. W.....	8th Infantry.....	26 April 98.
Stamper, W. Y.....	8th Infantry.....	26 April 98.
Chatfield, W. H.....	5th Infantry.....	26 April 98.
Stark, A. N.....	Med. Dept.....	12 May 98.
Augur, C. M.....	Q. M. Dept.....	12 May 98.
Deming, P. C.....	Coms'y, Vols.....	12 May 98.
Dickman, J. T.....	8th Cavalry.....	27 May 98.
Landis, J. F. R.....	1st Cavalry.....	31 May 98.
Pomroy, F. H.....	Coms'y Vols.....	8 June 98.
Lafitte, J. de L.....	A. Q. M., Vols.....	10 June 98.
Lissak, O. M.....	Ord. Dept.....	15 June 98.
Ham, S. V.....	A. Q. M., Vols.....	20 June 98.
Foltz, F. S.....	2d Cavalry.....	23 June 98.
Gardner, J. H.....	2d Cavalry.....	30 June 98.
Stevens, C. H.....	2d Cavalry.....	1 July 98.
Wilson, T. H.....	2d Infantry.....	1 July 98.
Root, E. R.....	10th Infantry.....	1 July 98.
Dugan, T. B.....	7th Cavalry.....	1 July 98.
Chamberlin, H. B.....	A. Q. M., Vols.....	16 July 98.
Scott, W. S.....	A. Q. M. Vols.....	16 July 98.
Barker, W. B.....	A. Q. M. Vols.....	16 July 98.
Goodale, G. L.....	A. Q. M., Vols.....	16 July 98.
Ryan, T. F.....	Coms'y, Vols.....	16 July 98.
Perkins, F.....	8th Infantry.....	26 July 98.



port by lighters or other craft, each such vessel must make entry by manifest of her cargo.

ART. 162. When vessels are wrecked in the waters of Cuba, application should be made to the collector of customs by the original owners or consignees of the cargo, or by the underwriters, in case of abandonment to them, for permission to forward the goods saved from the wreck to the ports of destination in other conveyances, without entry at the custom-house in the district in which the merchandise was cast ashore or unladen. On receipt of such permission the merchandise may be so forwarded, with particular manifests thereof, duly certified by the customs officer in charge of the goods.

ART. 163. Whenever any vessel of Cuba has sustained or caused any accident involving loss of life, material loss of property, or serious injury to any person, or has received any damage affecting her seaworthiness or her efficiency, the managing owner, agent, or master of such vessel shall, within five days, send, by letter to the collector of the district wherein such vessel belongs, or of that within which such accident or damage occurred, a report thereof, signed by such owner, agent, or master, stating the name of the vessel, the port to which she belongs, the place where she was, the nature and probable occasion of the casualty, the number and names of those lost, and the estimated amount of loss or damage to the vessel or cargo; and shall furnish such other information as may be called for; and if he neglects to comply with the foregoing requirements after a reasonable time, he shall incur a penalty of \$100. And whenever the managing owner or agent of any vessel of Cuba has reason to apprehend that such vessel has been lost he shall promptly send notice in writing to the collector of the port to which said vessel belonged of such loss and the probable occasion thereof, stating the name of the vessel and the names of all persons on board, so far as the same can be ascertained, and shall furnish, upon request of the collector, such additional information as shall be required; and if he neglect to comply with the above requirements within a reasonable time, he shall incur a penalty of \$100.

If there should be no custom-house at the point where the vessel is wrecked, the coast guard or customs official nearest the scene of the wreck shall render all possible aid in saving the crew and cargo of the vessel, taking charge of the merchandise saved and giving immediate notice to the nearest custom-house.

In order to prevent any attempt to defraud the revenue, the collector shall be represented at the saving of the cargo by customs inspectors detailed for that purpose, who shall examine and countersign the inventory made of such cargo, receiving an authorized copy of the same and the key to the warehouses in which the goods are stored.

If the merchandise saved is not damaged, and the interested parties should make application for their appraisal, they shall send a declara-

## 1st LIEUTENANTS.

Whipple, H. S.....	7th Cavalry.....	27 March 92.
Tompkins, S. R. H.....	7th Cavalry.....	8 April 92.
Rice, S. ....	7th Cavalry.....	5 May 92.
Parker, C. F.....	2d Artillery.....	1 July 92.
Bean, W. H.....	2d Cavalry .....	5 Oct. 92.
Trout, H. G ...	2d Cavalry.....	7 March 93.
Brooks, E. C.....	6th Cavalry.....	8 March 93.
Davis, R. P .....	2d Artillery.....	23 March 93.
Hardeman, L.....	10th Cavalry.....	15 April 93.
Hinds, E.....	2d Artillery.....	1 July 93.
Hay, W. H.....	10th Cavalry.....	21 July 93.
Schumm, H. C.....	2d Artillery.....	8 March 94.
Lochridge, P. D.....	2d Cavalry .....	2 April 94.
Evans, E. W.....	8th Cavalry.....	25 Aug. 94.
Paxton, R. G.....	10th Cavalry.....	30 Aug. 94.
Donaldson, T. Q.....	8th Cavalry.....	3 Jan. 95.
Beach, F. H.....	7th Cavalry.....	24 Jan. 95.
Winn, J. S.....	2d Cavalry .....	14 June 95.
Vestal, S. P .....	7th Cavalry .....	17 July 95.
Stone, J. H.....	Med. Dept.....	6 Nov. 95.
Anderson, E.....	7th Cavalry.. .....	23 May 96.
Hart, W. H.....	7th Cavalry .....	23 May 96.
Stockle, G. E.....	8th Cavalry.....	31 May 96.
Littebrant, W. T.....	7th Cavalry.....	26 Aug. 96.
Butler, M. C., Jr.....	7th Cavalry.....	27 Aug. 96.
Jordan, S. ....	2d Artillery.....	27 Aug. 96.
McNamee, M. M.....	7th Cavalry .....	9 Sept. 96.
Darnall, C. R.....	Med. Dept .....	26 Oct. 96.
Harrison, R.....	2d Cavalry.....	6 Nov. 96.
Wallace, R. B.....	2d Cavalry.....	4 Jan. 97.
Caldwell, F. M .....	7th Cavalry.....	6 Feb. 97.
Clark, C. C.....	5th Infantry.....	1 June 97.
Clark, W. F .....	2d Cavalry.....	18 June 97.
Butts, E. L.....	5th Infantry .....	27 June 97.
Symmonds, C. J.....	7th Cavalry.....	29 June 97.
Seyburn, J. R.....	8th Infantry.....	7 Aug. 97.
Murphy, T. O.....	10th Infantry.....	7 Sept. 97.
Anderson, E. D.....	10th Cavalry.....	6 Nov. 97.
Webber, H. A.....	Med. Dept.....	6 Nov. 97.
Jarvis, M. S .....	5th Infantry .....	16 Dec. 97.
Livermore, R. L .....	10th Cavalry .....	11 Jan. 98.
Hamilton, R. L .....	5th Infantry .....	26 Jan. 98.
Upton, LaRoy S.....	2d Infantry.....	1 Feb. 98.
Smith, H. A.....	5th Infantry.....	5 Feb. 98.
Saffarans, G. C.....	10th Infantry .....	10 March 98.
Fleming, R. J.....	10th Cavalry.....	11 March 98.
Hines, J. L.....	2d Infantry.....	26 April 98.
Lafite, J. de L.....	1st Infantry.....	26 April 98.
Sigerfoos, E.....	5th Infantry.....	26 April 98.
Marquart, P. E. ....	2d Infantry.....	26 April 98.
Crofton, W. M.....	1st Infantry.....	26 April 98.
Norman, T.....	8th Infantry .....	26 April 98.
Newman, W.....	1st Infantry.....	26 April 98.
Wilcox, F. A.....	1st Infantry.....	26 April 98.
Stokes, M. B.....	10th Infantry.....	26 April 98.

**ART. 168.** The clearance of coastwise vessels carrying national merchandise, or foreign merchandise which has been nationalized through the payment of import duties, shall be effected after presentation to the collector of customs at the port of clearance of a manifest in duplicate, one of which, after being certified, shall be returned to the captain or master of the vessel. Upon acceptance of the manifest the collector shall issue the necessary clearance permit.

**ART. 169.** The unloading of merchandise arriving at a port from another one in the island of Cuba shall be made according to the following rules:

1. The captain, as soon as he comes to anchor, shall present to the custom-house the sworn manifest of all such cargo carried by his vessel.

2. The collector shall then order the discharge and inspection of the cargo by the customs inspectors.

3. At the termination of the discharge the manifest shall be filed in the custom-house, after being certified to by the inspectors.

**ART. 170.** Collectors of customs may permit coasting vessels to proceed to any point on the coast and land national products and transport them to other points on the island upon application therefor.

Upon the arrival of the vessel at the port of lading the permit shall be viséed by the customs inspector, if any, detailed to this point, or sent there for this especial purpose, noting on the permit the day of arrival of the vessel.

A manifest of such lading shall be made by the captain or master of the vessel and be certified by the customs inspector, or, in his absence, by the local authority.

Vessels under 20 tons' register used in the transportation of vegetables and fruits from one point or port of entry in the island to another shall be free from the formalities specified in this chapter, and they shall only be required to apply for a pass from the custom-house or local authority, as the case may be, and to submit to such examination as the customs inspectors may deem necessary in order to prevent fraud.

**ART. 171.** The customs houses may also issue permits for the transportation in lighters and other boats of light tonnage to plantations on the coast of machinery, tools, and supplies. In such cases the manifests shall be authorized at the custom-house at the port of sailing and viséed by the customs officer on detail at the point of destination, or, in his absence, by the local authority.

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## CHAPTER XVII.

### ALLOWANCES FOR DAMAGE OR SHORT SHIPMENTS.

**ART. 172.** No allowance shall be made in the estimation of duty for lost or missing packages appearing on the manifest, bill of lading, or

invoice, unless shown, by proof satisfactory to the collector, not to have been originally laden on board or to have been destroyed by accident during the voyage.

ART. 173. If such missing package should be found later, or should be returned by the same vessel, or other vessel of the same line, with sufficient proof that such missing package was carried away by error, the entry covering such missing package shall be forwarded to the appraisers' division for the proper appraisal of the goods.

When in such cases duties have been paid on packages which, according to the official reports of the surveyor, have not been landed within three months from the date of the entry of the vessel on whose manifest such packages originally appeared, and the absence of such packages be satisfactorily accounted for, the duty collected upon such packages shall be refunded to the importer.

ART. 174. Whenever the appraiser reports a deficiency in the contents of a package as called for by the invoice, no allowance shall be made unless evidence satisfactory to the collector shall be produced that said shortage occurred before the arrival of the merchandise in this country, the burden of proof in such cases resting upon the importer; but no claim for damage occurring before arrival can be entertained except in case of imported animals satisfactorily explained to the collector. Dead animals upon which duty has been abated must be removed as ordered by the collector at the expense of the importer.

## CHAPTER XVIII.

### TONNAGE AND HARBOR-IMPROVEMENT TAXES.

ART. 175. The harbor-improvement taxes at all ports of entry in Cuba shall be levied as follows:

Each steamer entering.....	\$8. 50
Each sailing vessel entering.....	4. 25
Each ton of cargo landed from a steamer.....	. 25
Each ton of cargo landed from a sailing vessel.....	. 125
Each ton of coal landed from a steamer.....	. 125
Each ton of coal landed from a sailing vessel.....	. 10

ART. 176. At all ports or places in Cuba there shall be levied the following tonnage dues:

(a) On entry of a vessel from a port or place not in Cuba, per net ton, 20 cents.

(b) On entry of a vessel from another port or place in Cuba, engaged at the time of entry in the coasting trade of Cuba, per net ton, 2 cents.

(c) The rate of tonnage dues on a vessel which enters in ballast shall be one-half of the rate imposed by subdivision (a) or (b), and one-half the tonnage dues imposed on a vessel entering with cargo shall be refunded if the vessel clears in ballast.

But to a vessel entered from a port not in Cuba such refund shall not be made unless the collector at the port of such entry shall receive satisfactory evidence that the vessel has not been cleared within two months from the date of such entry from any port in Cuba with cargo for a foreign port.

If such vessel has been so cleared without actually engaging in the coastwise trade after her foreign entry on the same voyage, any tax levied on her coastwise entries between the dates of her foreign entry and foreign clearance may be refunded.

(d) The tonnage tax on entries of a vessel from a port or place not in Cuba shall not exceed in the aggregate \$2 per net ton in any one year, beginning from the date of the first payment.

The tonnage tax on entries of a vessel from other ports or places in Cuba shall not exceed forty cents per net ton in any one year, beginning from the date of the first payment.

(e) The following shall be exempt from tonnage dues:

A vessel belonging to or employed in the service of the Government of the United States; a vessel of a neutral foreign government not engaged in trade; a vessel in distress; or a yacht belonging to an organized yacht club of the United States or of a neutral foreign nation.

(f) The tonnage of a vessel shall be the net or register tonnage expressed in her national certificate of registry.

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## CHAPTER XIX.

### COASTING TRADE OF CUBA.

ART. 177. (a) Vessels of the United States may engage in the coasting trade of the island of Cuba.

(b) The collector of customs at any port in the island of Cuba is empowered to issue a permit to a resident of Cuba who owns a vessel, which shall entitle such vessel to engage in the coasting trade of the island: *Provided further*, That the owner and master (except in case of citizens of the United States) of such vessel shall, upon oath before such collector, entirely renounce and abjure all allegiance and fidelity to any foreign prince, state, or sovereignty whatever.

(c) These permits shall first be approved by the military governor of the island, and afterwards countersigned by the collector of customs issuing the same.

(d) Vessels entitled under these regulations to engage in the coasting trade of Cuba shall carry a distinctive signal, which shall be a blue flag, and the union of the flag shall be a white field.

ART. 178. The permit authorizing a vessel to engage in the coasting trade of Cuba shall be surrendered without willful or unnecessary delay to the collector of the nearest customs port or of the port of

Humber, R. C.....	10th Infantry.....	1 Aug. 99.
Beck, P. W.....	5th Infantry.....	1 Sept. 99.
Goodnow, H. P.....	8th Infantry.....	10 Sept. 99.
Beaumont, A. V. L. R. de	8th Infantry.....	1 Oct. 99.
Edwards, L. S.....	8th Infantry.....	1 Oct. 99.
Cullison, J. M.....	2d Infantry.....	1 Oct. 99.
Wilson, E. R.....	10th Infantry.....	1 Oct. 99.
Parker, H. W.....	2d Cavalry.....	1 Oct. 99.
Brooke, G. M.....	5th Infantry.....	1 Oct. 99.
King, A. A.....	7th Cavalry.....	1 Oct. 99.
Jones, C. N.....	10th Infantry.....	1 Oct. 99.
Holcomb, F. P.....	2d Cavalry.....	1 Oct. 99.

### Acting Assistant Surgeons, U. S. Army.

Agostini, L. P.	Lundy, P.
Agramonte, A.	Lyster, T. C.
Ames, P. R.	McHenry, G.
Austin, R. E.	McKay, J.
Barnet, E. B.	McLaughlin, W. L.
Bartlett, C. W.	McMillan, M. B.
Bispham, W. H.	Macy, R. C.
Block, W. H.	Maura, F. R.
Burr, R. T.	Mazzuri, P.
Cabada, E. F.	Mendoza, F. F.
Casanova, J. J.	Morejon, W.
Conn, F. A.	Núñez, E. F.
Cooney, D. C.	Peña, J. M.
Davidson, W. T.	Pinto, A. S.
Dunshie, E. F.	Plummer, G. R.
Escobar, J. A.	Poey, E. C.
Espin, J. M.	Poorter, L. de
Field, C. P.	Presnell, J. F.
Forsythe, W. H.	Repetti, J. J.
Fowler, E. W.	Ros, Luis.
Gilbert, J.	Saleeby, N.
Gill, G. R.	Shockley, M. W.
Gómez, V.	Summerall, W. B.
Golding, T. F.	Turner, M.
Harvey, L. S.	Valdés, J. A.
Horr, E. F.	Vaughan, M.
Hughes, L. S.	Veranes, F.
Jackson, T. W.	Wheate, J. M.
James, H. M.	Wilson, R.
Junco, L.	Ibarra, F. de
Lawrence, W. P.	

dues, charges, etc., in foreign ports and in ports of the United States shall be determined by the laws of the country in which the port may be situated.

Such vessels upon entry into a port of the United States shall be subject to the provisions of section 2497 of the Revised Statutes and such other laws as may be applicable.

The form and manner of the issue of permits provided for in this article shall be as follows:

1. Each permit for the clearance to a foreign port or port of the United States of a vessel owned by a citizen of Cuba shall be signed by the general commanding the United States forces in Cuba.

2. Each such permit shall also be signed by the collector of customs at the port of Cuba from which the vessel seeks clearance.

3. The collector of customs shall retain a duplicate of each such permit issued.

4. Previous to the issue of the permit the owner and master shall give a bond in the sum of \$10 per gross ton, with security satisfactory to the collector of customs, that for the period of one year such vessel shall engage only in legitimate trade and use the flag of the United States only for the purpose set forth in the executive orders and regulations on the subject, and shall, together with the owner and master, comply with all the executive orders and regulations now established, or which may hereafter be established, relating at any time to said vessel.

5. The collector of customs shall not issue such permit until he is satisfied by inspection that said vessel is about to engage in legitimate trade, and he may direct any examination of the owner, master, crew, passengers, cargo, or vessel which he may deem necessary for the purpose.

6. The permit for clearance provided by these regulations shall not authorize the vessel to carry arms or ammunition unless the general commanding the forces of the United States in Cuba shall, in his discretion, give a written permit for the transportation of a stated amount of arms and ammunition for a specific purpose on a specific voyage.

7. The collector of customs in issuing such permit shall notify the master that he may fly the American flag above the distinctive signal for the coasting trade of Cuba, solely for the purpose of indicating that the Government of the United States, pursuant to treaty, has assumed and will discharge the obligations that may, under international law, result from the fact of the occupation of Cuba for the protection of life and property of Cubans. He shall also advise the master that the clearance under permit and the use of the flag hereby authorized do not confer upon this vessel any rights or privileges which are conferred upon vessels of the United States by the statutes or treaties of the United States, but that the rights and privileges of the vessel in foreign ports and in the United States will be determined by the laws of the country of the port.

8. The master of the vessel upon receiving the permit shall place it with his Cuban coasting permit, and upon arriving in a foreign port shall promptly deposit both with the consul of the United States at that port, or if there be none, then with the consul of a friendly nation. If the laws of the port require that the ship's papers be deposited with the local officer of customs, the master shall so deposit both permits, promptly advising the consul of his action. Before clearance the consul shall return to the master the permits, or cause them to be returned, as the registers of American vessels are returned in foreign ports. In ports of the United States the permits shall be deposited with and returned by the collector of customs.

9. The master of the vessel upon returning to a port in Cuba shall surrender the permit to the collector at the port of entry, who shall make such examination as he may deem necessary to satisfy himself that the permit and the flag of the United States have been used only for the purposes prescribed, and if satisfied he shall cancel the permit and return it to the collector of customs who issued it, to be filed. If upon such examination the collector is not satisfied that the permit and the flag have been used only for the purpose prescribed, he shall detain the vessel, and report as soon as practicable to the general commanding the forces of the United States in Cuba.

10. For any misuse of the American flag or of the permit authorized by this order the general commanding the forces of the United States in Cuba may, in his discretion, impose a penalty not exceeding \$10 per gross ton on the vessel, or may institute proceedings for the forfeiture of the bond above provided, or may seize the vessel and report the facts to the Secretary of War for his action.

ART. 180. It shall be the duty of every captain of a vessel engaged in the foreign and coastwise trade, under the special regulations therefor, to provide himself with a certificate, on which certificate every payment for foreign tonnage dues shall be noted officially by the respective cashiers of the custom-houses in the island.

ART. 181. It shall be the privilege of every captain of a vessel engaged in the foreign and coastwise trade under the special regulations above given to pay in advance, every three months, at the home port in Cuba, the maximum proportionate tonnage dues under these regulations, and the certificate of the respective collectors of customs shall be accepted as proof of such payment.

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## CHAPTER XXI.

### INTERIOR CIRCULATION.

ART. 182. The circulation of merchandise—that is, their transportation from one point of the island to another, without putting to sea, shall be free of duty.



ART. 183. Customs inspectors, in cases of suspected fraud, are authorized to detain merchandise and have it conducted to the nearest custom-house, until their legitimate importation has been proved.

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## CHAPTER XXII.

### SPECIAL RULES FOR THE WAREHOUSING OF IMPORTED GOODS AND FOR THEIR TRANSPORTATION IN BOND.

ART. 184. Warehouses duly authorized for the storage of imported dutiable goods shall be known and designated as of classes one, two, and three.

Where there is available space in the premises used as custom-houses, such space may be set apart for the storage of imported goods in bond, and the premises are to be known as warehouses of class one.

Other premises used for the general storage of imported goods are to be known and designated as warehouses of class two.

Yards used for the storage of heavy or bulky articles are to be known and designated as warehouses of class three.

#### WAREHOUSES OF CLASS ONE.

ART. 185. At ports where there are Government stores, preference shall be given them for the storage of seized goods, and also of unclaimed goods if there is sufficient space for their accommodation. Unclaimed and seized goods may also be deposited, by order of the collector or acting collector, in warehouses of class two. Where there are no class two warehouses, the collector may procure suitable premises for the temporary storage of unclaimed or seized goods; but in all cases the rent and other attendant expenses must be charged against the goods.

#### WAREHOUSES OF CLASS TWO.

ART. 186. Where it is not practicable to bond the entire building, the first or ground floor of the premises may be bonded as a warehouse of class two, provided all interior means of communication between such first or ground floor and the remainder of the premises are removed and there are no other means of entrance or exit to the bonded portion except those upon a street or other public thoroughfare. The general storage of imported merchandise may be allowed in warehouses of class two upon the order of the collector of customs.

The rates of storage and compensation for labor in the handling of bonded goods will be as agreed upon between the owner or importer of the goods and the proprietor of the warehouse, who shall receive the amount due for storage and labor, the collector looking to the safe

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Lieut. M. B. Stokes.....	10th Infantry...	Cárdenas.
Lieut. Robt. McCleave.....	2d Infantry.....	Caibarién.
Lieut. A. E. Williams.....	2d Infantry.....	Cienfuegos.
Lieut. E. H. Cooke.....	10th Infantry...	Cárdenas.
Lieut. L. W. Oliver.....	2d Infantry.....	Caibarién.
Pedrazo, Justino A.....	Civilian.....	Santa Clara.
Ryan, Charles B., Jr.....	Civilian.....	Matanzas.
Trelles, M. S.....	Civilian.....	Matanzas.

### Department of Santiago and Puerto Príncipe.

Capt. E. A. Ellis.....	8th Cavalry.....	Guantánamo.
Capt. W. H. Chatfield.....	5th Infantry.....	Baracoa.
Capt. S. D. Freeman.....	10th Cavalry...	Santiago.
Lieut. L. Hardeman.....	10th Cavalry...	Mayarí.
Lieut. C. H. Schumm.....	2d Artillery.....	Baracoa.
Lieut. R. G. Paxton.....	10th Cavalry...	Holguín.
Lieut. M. S. Jarvis.....	5th Infantry.....	San Luis.
Lieut. J. G. Harbord.....	10th Cavalry...	Manzanillo.
Lieut. A. E. Saxton.....	8th Cavalry.....	Santiago.
Lieut. J. J. Ryan.....	Vol. Sig. Corps.	Puerto Príncipe.
Lieut. L. D. Cabell.....	5th Infantry.....	Guantánamo.
Lieut. V. Shepherd.....	Vol. Sig. Corps.	Santiago.
Bacardi, E.....	Civilian.....	Santiago.
Page, Henry.....	Civilian.....	Nuevitas.
Parieno, Julian.....	Civilian.....	Santiago.
Schuman, D. H.....	Civilian.....	Guantánamo.
Silva, Américo.....	Civilian.....	Puerto Príncipe.
Chamberlain, R. H.....	Civilian.....	Gibara.
Durfee, O. S.....	Civilian.....	Ciego de Avila.

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lishment of the bonded warehouse, the person or persons making the application should be notified by the collector to enter into bond, in duplicate, in such penalty as may be ordered by the chief of the customs service, to protect the interests of the revenue. Not less than two individuals should be accepted as sureties, and they should each be required to file with the bond, in addition to their oaths as sureties, a statement showing real estate or other property owned by them the value of which shall be at least equal to the amount specified in their oaths as sureties. Duly incorporated guarantee or security companies may be accepted as sureties whenever the collector shall be satisfied as to their sufficiency.

The bonds should be executed before the collector, and, if approved by him, one copy of each bond should be retained by him on file, and he will notify the owner or occupant of the premises of the establishment of the warehouse.

The form of the bond to be given on the establishment of bonded warehouses shall be prescribed by the chief of the customs service, with the approval of the military governor.

#### GENERAL PROVISIONS.

**ART. 189.** The collector of customs should promptly notify the military governor of the death, pecuniary embarrassment, or insolvency of any of the parties to a bond or warehouse, or of any circumstances which make it advisable to require new bonds.

New bonds must in all cases be given when a warehouse passes into the hands of new principals, or where changes take place in partnerships.

**ART. 190.** Alterations in bonded warehouses can be made only by permission of the collector, and if such alterations constitute a material change in the premises new bonds should be required.

It is the duty of the collector to notify the military governor of all changes in the surroundings of bonded premises likely to affect their security. If burned or otherwise destroyed, immediate notice with full particulars should be given, and if rebuilt the premises can not be used as a bonded warehouse until bonded anew.

**ART. 191.** Proprietors or occupants of bonded warehouses shall be required, on ten day's notice from the collector, to renew their bonds, and if they fail to do so no merchandise should be sent to their warehouse, and that stored in the premises should be at the expense of the proprietors or occupants.

**ART. 192.** Warehouses may be discontinued by the collector at any time upon written request to that effect from the proprietors or occupants of the premises, provided all the requirements of these regulations have been complied with on the part of the principals. In instances where dutiable merchandise is stored in the premises, the

Beecher, J. P., Sgt. Sig. Corps	99	Buffington, A. P., Capt. 1st Infantry	73
Beck, P. W., 2d Lieut. 5th Infantry	86	Burr, R. T., A. A. Surgeon	63
Beck, W. H., Capt. 10th Cavalry	87	Burnham, W. P., Capt. 4th Infantry	86
Becker, O., Major U. S. V.	61	Burgeim, C. A., Actg. Hosp. Std	97
Bell, G. Jr., Capt. 1st Infantry	75	Burton, G. C., Actg. Hosp. Std	97
Bell, J. F., Capt. 7th Cavalry	73	Burton G. H., Col. U. S. A.	59
Bell, J. M., Lieut. Col. 8th Cavalry	89	Bushby, T., Post. Q. M. Sgt.	94
Bell, S. H., Chaplain	75	Butler, M. C. Jr., 1st Lieut. 7th Cavalry	73
Benham, H. H., Capt. 2d Infantry	67	Butts, E. L., 1st Lieut. 5th Infantry	86
Benteen, F. W., 2d Lieut. 2d Infantry	66	Cabada, E. F., A. A. Surg.	84
Bentz, D. H., Sgt. Sig. Corps	99	Cabell, L. D., 2d Lieut. 5th Infantry	88
Berry, A. P., 1st Lieut. 10th Infantry	68	Cadwell, F. M., 1st Lieut. 7th Cavalry	73
Betancourt, A.	112	Calhoun, J. G., Actg. Hosp. Std	97
Bigelow, J. Jr., Capt. 10th Cavalry	88	Cardoza, W. H., Sgt. Sig. Corps	99
Bigelow, M. O., 1st Lieut. 8th Cavalry	90	Carnahan, E. C., Capt. 5th Infantry	95
Bishop, A. H., 2d Lieut. 2d Infantry	67	Carr, L. C. Major U. S. V.	53
Bispham, W. N., A. A. Surg.	79	Carr, W. B., 2d Lieut. 2d Art.	81
Black, W. M., Major U. S. Army	59 79	Carrington, F. de L., Capt. 1st Infantry	77
Blakely, G., 1st Lieut. 2d Artillery	74	Carpenter, E., 2d Lieut. 2d Artillery	79 82
Bliss, T. H., Major U. S. A.	59	Carter, F. W., Major U. S. A.	60
Block, W. H., A. A. Surgeon	86	Carter, C. C., 2d Lieut. 2d Artillery	79 81
Blunt, J. Y. M., Capt. U. S. V.	83	Casanova, J. J., A. A. Surg.	66
Bomford, G. N., 1st Lieut. 5th Infantry	86	Catlin, E. H., Capt. 2d Artillery	82
Borden, G. P., Major 5th Infantry	86	Catlin, G. de G., 1st Lieut. 2d Infantry	66
Bowman, A. H., Major 2d Infantry	66	Cartwright, G. S., Major U. S. V.	61
Brett, L. M., Capt. 2d Cavalry	65	Cavanaugh, H. La. T., 1st Lieut. 10th Cavalry	86
Brewer, E. P., Capt. 7th Cavalry	73	Caziarc, L. V., Capt., 2d Artillery	81
Brooke, G. M., 2d Lieut. 5th Infantry	86	Chaffee, A. R., Brig. General U. S. V.	59 80
Britt, J. S., Coms'y Sgt.	95	Chamberlain, F. Van S. 2d Lieut. 2d Infantry	67
Brooks, E. C., 1st Lieut. 6th Cavalry	59	Chamberlin, H. B. Capt. U. S. V.	61
Brown, C. L., Hosp. Std.	96	Chambliss, N. R., 2d Lieut. 8th Infantry	75
Brown, C. W., Sgt. Sig. Corps	99	Chance, Jesse, C., Major 5th Infantry	86
Brown, G. Le R., Major 10th Infantry	68		
Brown, H. L., A. A. Surgeon	90		
Brown, J., Coms'y Sgt.	95		
Brown, P., 1st Lieut. 2d Inf.	66		
Brown, W. J., Coms'y Sgt.	95		

necessary labor to be furnished by the proprietor of the warehouse as a charge on the goods.

The shipping marks, numbers, and identification as above must be entered on books to be kept and on reports to be made by the officer in charge in his daily returns to the collector's office. They shall then be entered in the general warehouse books at the custom-house, and the numbers therein given will be the designating numbers on all permits for withdrawal.

The entry for warehousing having been examined by the collector, and the duty estimated thereon, the collector shall take a bond from the importer, with satisfactory security, in double the amount of such estimated duties, in the form prescribed by the chief of the customs service approved by the military governor.

ART. 196. No partial withdrawal of merchandise from bonded warehouse shall be allowed in less quantities than an entire package, or, if in bulk, of less than one ton.

ART. 197. Original importers are not by any subsequent transfers relieved either personally or upon the warehousing bond from their liability for duties. Both principal and sureties continue liable until the duties are paid or the merchandise exported.

ART. 198. The importer of record may transfer to any other person the right to any merchandise under bond, which shall be done in writing upon the face of the withdrawal.

Delivery of goods may be made to \_\_\_\_\_.  
(Signed)

\_\_\_\_\_,  
\_\_\_\_\_,  
\_\_\_\_\_,  
*Importer.*

The bond having been executed, the collector shall issue a permit to send the goods to the warehouse named in the entry, with the exception of such as may be designated for examination. This permit shall be addressed to the inspector or other customs officer who supervises the unloading of the merchandise from the importing vessel, and shall be in the following form:

PERMIT TO SEND GOODS TO WAREHOUSE.

CUSTOMS HOUSE, \_\_\_\_\_,  
Collector's Office, \_\_\_\_\_, 19—.

To the inspector at \_\_\_\_\_:

You are hereby directed to send to the bonded warehouse, No. \_\_\_\_\_, \_\_\_\_\_ street (here describe the merchandise), imported on the \_\_\_\_\_ of \_\_\_\_\_ by \_\_\_\_\_ in the \_\_\_\_\_, \_\_\_\_\_ master, from \_\_\_\_\_.

\_\_\_\_\_,  
*Collector.*

When goods are sent from an importing vessel or car to a warehouse, or from one vessel or conveyance to another, or from warehouse to vessel or car, as well as unclaimed merchandise, and all packages

Jackson, T. W., A. A. Surg...	76	Knudson, F. L., 1st Lieut.	
Jackson, H. F., Captain U. S. A .....	71	8th Infantry.....	74
Jackson, H. L., Capt. 1st Inf.	77	Kochersperger, S. M., 2d Lieut. 2d Cavalry.....	65
Jacobs, C. C., Hosp. Std.....	96	Kolster, D. A., Coms'ry Sgt.	95
James, H. M., A. A. Surgeon.	67	Krause, H. C., Actg. Hosp. Std.....	97
James, J. F., 2d Lieut. 8th Infantry.....	75	Kromer, L. B., 2d Lieut. 10th Cavalry .....	87
Janda, J. F., 1st Lieut. 9th Infantry.....	75	Lacey, F. E. Jr., Capt. 1st Infantry .....	77
Jarrett, G. D., 2d Lieut. 10th Infantry.....	68	Ladd, E. F., Major & Q. M., U. S. V.....	59
Jarvis, M. S., 1st Lieut. 5th Infantry.....	89	Laffite, J. de L., 1st Lieut. 1st Infantry.....	77, 84
Jervey, E. P., 1st Lieut. 10th Cavalry.....	89	Laine, D. T., Major & Surgeon, U. S. V.....	59
Johnson, C. P., Capt. 10th Cav.....	87	Lamoureux, T. B., 1st Lieut. 2d Artillery.....	82
Johnson, F. C., 2d Lieut. 2d Cavalry.....	65	La Mar, Le G., Actg. Hosp. Std.....	97
Johnson, H., Hosp. Std.....	96	Landis, J. F. R., Capt. 1st Cavalry.....	62
Jones, C. N., 2d Lieut. 10th Infantry.....	68	Laufer, G., Coms'y Sgt .....	95
Jordan, H. F., 1st Class Sgt. Sig. Corps.....	99	Lawrence, H. W., Acting Hosp. Std.....	97
Jordan, S. S., 1st Lieut. 2d Artillery.....	74	Lawrence, W. P., A. A. Surgeon.....	67
Junco, L., A. A. Surgeon.....	67	Leary, E. M., 1st Lieut. 2d Cavalry.....	64
Kean, J. R., Major & Surg. U. S. V.....	71	Lee, F., Brigadier General, U. S. V.....	71
Kelly, W. Jr., 2d Lieut. 2d Cavalry.....	64	Lee, J. R., 2d Lieut. 10th Infantry.....	68
Kendall, H. F., Capt. 8th Cavalry.....	91	Lehman, F. B., Coms'y Sgt.	95
Kennedy, C. W., Capt. 8th Infantry .....	74	Leonard, C. L., Hosp. Std...	96
Kennington, A. E., 2d Lieut. 10th Cavalry.....	88	Leonard, P., Post Q. M. Sgt.....	93
Kernan, F. J., Capt. 2d Inf.	66	Lemmer, L., Coms'y Sgt.....	95
Kerr, J. B. Major 10th Cavalry .....	87	Lewis, T. J., Capt. 2d Cavalry .....	65
Kidwell, F. A., Coms'y Sgt...	95	Liggett, H., Capt. 5th Infantry.....	89
Kilburn, D. W., 1st Lieut. 8th Infantry.....	74	Lincoln, S. H., Lieut. Col. 10th Infantry.....	68
King, A. A., 2d Lieut. 7th Cavalry.....	73	Lind, O., Hosp. Std.....	97
King, C., 1st Lieut. 1st Infantry.....	75	Littebrant, W. T., 1st Lieut. 7th Cavalry.....	73
King, E. L., 2d Lieut. 8th Cavalry.....	90	Lissak, O. M., Capt. Ord. Dept. U. S. A .....	59
King, G. W., Actg. Hosp. Std.....	97	Livermore, R. L., 1st Lieut. 10th Cavalry.....	87
Kirby, H., Capt. 10th Inf....	68	Looby, P., Hosp. Std.....	97
Kirkpatrick, G. W. 1st Lieut. 8th Cavalry.....	90	Lochridge, P. D., 1st Lieut. 2d Cavalry.....	64
Knight, H. E., 1st Lieut. 5th Infantry.....	88	Lommel, N., Hosp. Std.....	96

the merchandise may be consigned all goods in bond delivered to such carrier, such transportation and delivery to be made without delay. Application to bond routes for the purpose indicated should be made to the collector of customs. If the application to bond is approved, the common carrier should be required to enter into bond in a penalty not less than \$20,000, and in the form prescribed by the chief of the customs service, with approval of the military governor.

ART. 203. When merchandise is forwarded from the port of importation separate manifests, in triplicate, should be prepared for each vessel, car, or other vehicle used for the purpose, signed by the agent of the vessel, railroad, or other company by which the transportation is made, and certified and delivered by the inspector. Each manifest should contain a description of the merchandise, by marks, numbers, and contents, the route, conveyance, port of destination, names of shipper and consignee. The manifest should be in the form prescribed by the chief of the customs service, with the approval of the military governor.

The officer in charge of the lading should see that manifests are furnished for each car or vessel or conveyance, as herein required, and he should certify on the manifest to the lading of the goods, giving the number of the car or name and description of the vessel. One of the manifests should be delivered to the conductor of the car or the master of the vessel, and the other two should be returned to the custom-house without unnecessary delay.

The collector should transmit one copy of the manifest by first mail to the chief customs officer of the port of destination.

ART. 204. Upon the arrival of the car or vessel or other conveyance at the port of destination examination should be made of the fastenings of the vehicle or craft for the purpose of ascertaining whether or not they have been tampered with. If such fastenings are not intact, or the collector has reason to suspect fraudulent attempts, he should take possession of the vehicle or craft and its contents and report the facts to the chief of the customs service. If there is no evidence that fraud has been attempted the seals should be removed by the customs officer and entry of the goods allowed as hereinbefore provided for.

ART. 205. Merchandise in bonded warehouse may be examined at any time during the business hours of the port by the importer, consignee, or agent, who may take samples of his goods in reasonable quantities, according to the usage of the port, make all needful repairs of packages, and repack the goods if necessary for their safety or preservation, provided when the original contents are placed in the new packages they shall be marked and numbered as before.

ART. 206. Casks containing wines liable to sour may be refilled when necessary for preservation, but the wine used for such refilling must be part of the same importation and must have been withdrawn for consumption with payment of duties.

ART. 207. No samples shall be taken nor any goods exhibited or examined without a permit from the collector and under the supervision of an officer of customs, nor unless by request of the importer, owner, or consignee; nor shall any package be repaired nor goods repacked without a permit, to be granted only when necessary for the safety or preservation of the contents. Goods imported in bulk and not in present danger of deterioration can not be placed in packages while in warehouse.

ART. 208. No merchandise shall be removed from a bonded warehouse unless upon a duly signed permit containing the designation of said warehouse, the date of the receipt of the merchandise therein, and the word "deliver" and date thereof, certified by the person in charge of the storage books at the custom-house.

#### WITHDRAWALS AT ORIGINAL PORTS FOR CONSUMPTION.

ART. 209. A withdrawal for consumption must be made out in the form to be prescribed by the chief of the customs service, and must be signed by the importer or by a party authorized by him. If by the latter, the original importer must place upon the withdrawal his written authority for the substitution. No oath or declaration is required for withdrawals from bond.

ART. 210. On presentation of this withdrawal at the collector's office it shall be compared with the record of the bond upon the warehouse ledger, and if they agree the items shall be entered therein, with the amount of duty thereon. The collector shall fill out a permit for delivery on the following form:

#### WITHDRAWAL PERMIT FOR DELIVERY.

Bond No. —.

PORT OF ———, ———,  
Custom-House, ———, 19—.

*To the Storekeeper:*

Duties having been paid, you will deliver to ——— ——— the merchandise described per entry as follows: ——— ———, and which was imported into this district ———, 19—, by ——— ———, master, from ——— ———.

—————,  
Collector.

The officer in charge of the warehouse division shall make upon the permit a statement of storage and labor charges due upon the packages withdrawn from warehouses, class one. After the duties and charges have been paid to the cashier of the custom-house the permit shall be signed by the collector and returned to the importer or his representative for presentation to the storekeeper at the bonded warehouse, who will thereupon deliver the merchandise.

ART. 211. All permits received for the delivery of packages from bonded warehouses shall be entered upon the warehouse books and returned by the storekeeper thereof to the custom-house, stamped



with date of delivery, and due note thereof shall be made upon the storekeeper's record.

WITHDRAWAL AT ORIGINAL PORTS FOR EXPORTATION.

ART. 212. The withdrawal of goods from warehouse for exportation at the port of original importation shall be made in the following form:

EXPORT WITHDRAWAL AT PORT OF ORIGINAL IMPORTATION.

Bond No. —.

Merchandise intended to be withdrawn from warehouse by —, and to be exported by him in the —, master, for —, which was imported into this district by —, master, from —, on the — day of —, 19—. —, —.

ART. 213. If exported by other than the original importer, the same authority shall be required as in case of withdrawal for consumption. The export shall be made under the original mark of importation. Additional port marks may be made by authority of the collector and under the supervision of a customs officer, but both the original and the port mark shall appear in all papers pertaining to the exportation.

The withdrawal shall be verified in the following form:

DECLARATION ON EXPORT WITHDRAWAL.

I, —, do solemnly, sincerely, and truly declare that the goods, wares, and merchandise described in the within withdrawal, now delivered by me to the collector of customs for the port of —, are truly intended to be exported by me to the port of —, as stated in said entry, and by the vessel (or route) therein indicated, and are not intended to be reloaded or consumed within the limits of Cuba; and that, to the best of my knowledge and belief, the said goods, wares, and merchandise are the same in quality, quantity, value, and package (wastage and damage excepted) as at the time of importation.

—,  
*Exporter.*

Declared this — day of —, 19—, before me.

—,  
*Collector.*

ART. 214. The withdrawal having been duly entered in the warehouse accounts, the exporter shall give bond, with satisfactory security, in a penal sum equal to double the amount of the estimated duties on the goods, to produce the proof required by law of the landing of the same beyond the limits of Cuba, which bond shall be in the following form:

EXPORT BOND.

Know all men by these presents, that we, —, as principals, and —, as sureties, are held and firmly bound unto the Government of the

island of Cuba in the sum of ——— dollars, for the payment whereof to the Government of the island of Cuba we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Witness our hands and seals, at the port of ———, this ——— day of ———.

Whereas the following described merchandise, having been heretofore duly imported into Cuba and entered for warehousing in bond, and having been so warehoused at the above-named port according to law, hath been this day entered for withdrawal and exportation in bond, viz (here describe the merchandise by marks, numbers, description, and number of packages, with their contents), which said merchandise is also described in an export entry of this date, numbered ———, and is to be exported in the (ship or other vessel, describing the same), known as the (here insert the name of the vessel), whereof ——— is at present master, now lying in the above-named port, and bound for the port of ———; and whereas it is intended that the said merchandise shall be exported as aforesaid, under and by virtue of the several regulations of the island of Cuba relating to the exportation of imported goods, without the payment of duties thereon:

Now, therefore, the condition of this obligation is such that if the aforesaid merchandise shall in good faith be actually exported and landed abroad according to the true intent and meaning of these presents, and shall not, nor any part thereof, be relanded at any port or place within the limits of Cuba, and if the certificates and other proofs required by the law and regulations of the island of Cuba, showing the delivery of the same at the said port of destination or at any other port or place without the limits of Cuba, shall be produced and deposited with the collector of customs for the time being at the said port of withdrawal within ——— from the date hereof, then this obligation to be void; otherwise to remain in full force and virtue.

—————. [SEAL.]  
 —————. [SEAL.]  
 —————. [SEAL.]

Sealed and delivered in the presence of:

—————.  
 —————.

ART. 215. The bond having been duly executed, a permit shall be issued directing the storekeeper to deliver the goods to the surveyor, which permit shall be as follows:

#### EXPORT DELIVERY PERMIT.

PORT OF ———,  
 Custom-House, ———,  
 ———.

To the storekeeper at ———:

You will deliver to the surveyor of the port for exportation by ——— to  
 ——— (here describe the merchandise), imported into this district on the  
 ——— by ———, in the ———, ———, master, from ———.

—————,  
 Collector.

ART. 216. The withdrawal shall be transmitted to the proper officer with directions to cause the merchandise described therein to be laden for exportation, indicating such as is to be weighed, measured, or gauged, which directions shall be as follows:

PORT OF ———,  
 Custom-House, ———, 19 .

To the shipping officer:

You will examine the goods described in the accompanying withdrawal, and, if found to agree exactly therewith, to superintend the lading thereof on board

the ———, for exportation to ———, of which, when completed, you will make due return.

—————,  
Collector.

A special return of the weight, gauge, or measure of the merchandise must, when required, be made to the collector.

The export bond will be canceled upon the presentation of a certificate of a collector of customs that the merchandise has been duly landed at port of destination.

ART. 217. Foreign merchandise once imported and afterwards exported is dutiable upon every subsequent importation into Cuba, except as otherwise specially provided for.

ART. 218. Entries of merchandise covered by any one invoice may be made simultaneously for both consumption and warehouse. Where an intent to export the merchandise is shown by the bill of lading and invoice, the whole or the part of an invoice not less than one package may be entered for "warehouse and immediate export." In this case the collector may designate the vessel in which the merchandise is laden as constructively "a warehouse," in order to facilitate the direct transfer of the goods to the exporting vessel. The same procedure may apply to goods entered for "warehouse and immediate transportation."

ART. 219. Any goods, wares, or merchandise in bond or under general order which shall be withdrawn therefrom shall be subject to the rates of duty in force at the time of such withdrawal.

ART. 220. All blanks or forms used in the entry or withdrawal of goods in bond shall be furnished at the cost of the interested parties.

## CHAPTER XXIII.

### PENAL PROVISIONS AND ADDITIONAL DUTIES.

#### CLASSIFICATION OF PENAL ACTS AND CUSTOMS PROCEEDINGS.

ART. 221. Persons committing any of the offenses mentioned in the following articles shall be liable to the following penalties named therefor:

\* 1. If any importer, owner or consignee, agent, or other person shall make or attempt to make any entry of imported merchandise by means of any fraudulent or false invoice, affidavit, letter, paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance whatsoever, or shall be guilty of any wilful act or omission by means whereof the Government of the island of Cuba shall be deprived of the lawful duties, or any portion thereof,

\* President's order, Circular No. 31, Division of Customs and Insular Affairs, August 24, 1899.

Ciego de Avila.....	90	Pinar del Río Barracks. 75.	1
Columbia Barracks. 73, 74,	75	Pirotecnia Militar.....	2
Drum Barracks .....	69	Placetás, Barracks.....	3
El Caney.....	89	Puerto Príncipe.....	89
El Cristo.....	86	Rowell Barracks.....	4
Guanajay Barracks.....	77	Sancti-Spíritus Barracks.....	5
Guantánamo.....	88	San Luis.....	6
Hamilton Barracks.....	64, 65	Santa Clara Barracks.....	7
Holguín.....	88	Santa Cristina Barracks...	8
La Popa Barracks.....	67	Sagua Barracks.....	9
Manzanillo.....	87	Songo.....	10
Mayarí.....	89	Vedado, Havana, 21, 5th	11
Morro Castle, Santiago....	86	Street.....	12
Nuevitas.....	91		

This roster is published for the transaction of business in the Division. Errors to be reported to the Adjutant General of the Division.

BY COMMAND OF MAJOR GENERAL WOOD:

W. V. RICHARDS,

Adjutant General

Hdqrs. Div. Cuba.  
January, 1900.

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## TABLE OF CONTENTS.

	Page.
CHAPTER I.—General functions of customs-houses, their classes, the authority by which created, and the present customs ports of Cuba.	7
II.—Duties and powers of customs officials	9
III.—Collectors of customs	11
The surveyor	12
Customs inspectors	18
District inspectors	14
Boarding inspectors	15
Coast inspectors	15
Night inspectors	16
Discharging inspectors	17
Weighers	20
IV.—Bonds of customs employes	21
V.—Customs surveillance	22
VI.—Importations by sea	23
Section first	23
General provisions	23
Supplies for United States Army, Navy, and Marine-Hospital Service	24
Section second	25
Masters of vessels and their manifests	25
Section third	30
Consignees	30
VII.—Entry of merchandise	31
VIII.—Discharge of merchandise	39
IX.—Appraisal of merchandise	45
X.—Baggage	47
Examination of mails	47
XI.—Exportations	49
XII.—Transits and transshipments	51
XIII.—Abandonment of merchandise	52
XIV.—Entrance of vessels through stress of weather	53
XV.—Derelict and wrecked merchandise	54
XVI.—Coastwise trade	56
XVII.—Allowance for damage or short shipments	57
XVIII.—Tonnage and harbor improvement taxes	58
XIX.—Coasting trade of Cuba	59
XX.—Special regulations for coasting trade	60
XXI.—Interior circulation	62

ART. 227. Merchandise brought by passengers shall be liable to seizure when the same is found concealed on their persons, or otherwise, with evident intent to defraud the customs.

ART. 228. Those persons exporting national products by sea shall be liable to penalties in the following amounts and cases:

1. For embarkation at ports of entry of any merchandise without the permission of the custom-house, they shall pay from one to ten dollars fine, in the judgment of the collector of customs; and if the shipment has been made at a port which is not a port of entry, they shall pay a fine of from fifty to one hundred dollars, and the vessel shall be obliged to provide itself with the necessary documents for the cargo on board, at the nearest custom-house.

2. When captains of vessels put to sea without having first complied with all the requisites and formalities established in these regulations they shall be liable to a fine of fifty dollars, which shall be levied upon their consignees, who are held subsidiarily responsible for the fines and duties payable by captains.

ART. 229. In entrances and clearances in the coasting trade between ports of Cuba the following penalties shall be incurred in the amounts and cases hereinafter expressed:

1. For shipping any merchandise coastwise, without a permit from the custom-house or other qualified authority, the shipper shall be liable to a fine equal to the value of the merchandise.

2. When foreign merchandise is found on board of a vessel, without the necessary documents corresponding thereto, the captain shall be liable to pay double the amount of the duties for which they are liable in each case.

3. When foreign merchandise is found on board of a vessel without the necessary documents corresponding thereto, if the same be free of duty, the captain shall be liable to a fine of from \$5 to \$50.

4. For failing to give notice of the arrival of his vessel, although in ballast, to the collector at the port of entry the captain shall be liable to a fine of from \$5 to \$50.

The captain or consignee, as the case may be, shall be liable to the same penalty without prejudice to their liability to such other penalties as may be applicable under these regulations for the mere act of unloading merchandise of any kind at a port which is not an authorized port of entry.

ART. 230. In the transshipment of merchandise the parties engaged therein shall be liable to penalties in the following amounts and cases:

1. For transferring dutiable merchandise from one vessel to another without the permission of the customs officials the captain shall pay double the amount of the duties corresponding thereto under the tariff.

2. For the same offence, in the case of national merchandise free of duty and any other charge, both the captain delivering and receiving



WAR DEPARTMENT,  
*Washington, D. C., June 22, 1901.*

By direction of the President, the following customs regulations for ports in the island of Cuba, will be proclaimed and enforced in said island, and will take effect on promulgation in Cuba.

All regulations and orders heretofore issued inconsistent herewith are hereby repealed.

ELIHU ROOT,  
*Secretary of War.*

duly certified by himself to be correct, which manifest, if merchandise on board be consigned to several ports of the island, shall be returned to the quartermaster containing the certification that all goods belonging to that port have been unladed in conformity, and the quartermaster shall deliver the manifest to the collector of customs at any subsequent port for which the transport carries freight from the United States.

## CHAPTER XXV.

### PROTESTS.

ART. 235. Importers who are dissatisfied with the valuation or classification of merchandise as fixed by the collector of the port shall pay the duties imposed, but may file before or at the time of payment, and not later, a written protest and appeal, stating briefly the value or classification which it is claimed should have been established.

ART. 236. The board of appeals, Cuban customs service, appointed by the collector of customs for Cuba, and consisting of not more than five nor less than three members, shall consider such protests against the classification of merchandise and assessment of duty as may be forwarded to it by the chief of the customs service. A majority of the board shall constitute a quorum for the transaction of business. Protests shall be prepared and submitted in accordance with the rules hereinafter given.

ART. 237. The board shall give opportunity to each protestant to present evidence in support of their claims, and shall direct the production before it of such other evidence as may be deemed relevant to the case.

ART. 238. The board shall keep a full record of its proceedings, and shall submit in writing its findings in the case of each protest to the chief of the customs service for action by him. All protests must state in detail the nature of the claim and the paragraph of the tariff under which classification is claimed. Irrelevant and prolix protests or protests that fail to point out distinctly and specifically the precise objection of the person protesting in respect to each entry or paragraph of an entry, his reasons therefor, and protests which do not cite paragraphs of the tariff, will not be entertained, nor will any protest be entertained on excessive sea stores.

ART. 239. The parties making protests are therefore particularly cautioned that they must present to the board of appeals all documents upon which they rely for the support of their claims. All opinions of the board of appeals should be governed by the vote of a majority of the members of the board.

ART. 240. Whenever a case before the board of appeals has been heard, a vote thereon shall be taken, which shall be final and conclusive, unless before the end of the session a majority of the board shall vote to reconsider the same.

**ART. 241.** The following shall be the regulations for the preparation and presentation of all protests:

All protests shall be addressed to the collector, containing name of vessel, number of entry, number of carta de pago, number of the manifest, number of the liquidation, name of the appraiser making the appraisal, and the address of the protestant.

All protests must be accompanied by samples whenever possible, which samples shall be identified by the signature of the appraiser, the number of the entry, and the name of the protestant.

Protests must be written in English or Spanish, and must be perfectly legible; without which necessary requisite they will not be accepted.

The decision of the protests will be communicated to the protestant in writing, and all information in relation thereto will be furnished and received by the secretary of the board of appeals.

In conformity with the provisions of these regulations, no protest against the assessment of duties shall be received unless presented in writing by the importer before or at the time of the payment of duties.

All protests that have been acted upon by the board of appeals will, together with the action of the collector of customs for Cuba, be forwarded to the military governor for final decision.

**ART. 242.** Protests against the decisions of collectors of subports shall be prepared as above, directed and transmitted by such collectors to the collector of customs for Cuba.

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## CHAPTER XXVI.

### REVENUE-CUTTER SERVICE.

**ART. 243.** The duties of the revenue-cutter service shall be the protection of the customs revenue, the assistance of vessels in distress, the enforcement of the neutrality laws, of laws pertaining to quarantine, of the laws governing merchant vessels, the protection of merchant vessels from piratical attacks, the protection of wrecked property, and such service as may be specially directed by the collector of customs for Cuba.

The cruising ground of revenue vessels shall be designated from time to time by the collector of customs for Cuba.

**ART. 244.** It shall be the duty of officers of revenue vessels, whenever possible, to board vessels arriving within the waters of the island of Cuba or within four leagues of the coast thereof if bound for Cuba, to search and examine the same, to demand, receive, and certify the manifests required of them by law, to seal the hatches and other communications with the cargo, and, where necessary, to place an officer on board to remain until arrival at the port of destination.

Ciego de Avila.....	90	Pinar del Río Barracks. 73, 74, 75	75
Columbia Barracks. 73, 74, 75	75	Pirotecnia Militar.....	81
Drum Barracks .....	69	Placetas, Barracks.....	82
El Caney.....	89	Puerto Principe.....	89, 90
El Cristo.....	86	Rowell Barracks.....	82
Guanajay Barracks.....	77	Sancti-Spíritus Barracks.....	83
Guantánamo.....	88	San Luis.....	84
Hamilton Barracks.....	64, 65	Santa Clara Barracks.....	64
Holgufn.....	88	Santa Cristina Barracks...	65
La Popa Barracks.....	67	Sagua Barracks.....	67
Manzanillo.....	87	Songo.....	86
Mayarí.....	89	Vedado, Havana, 21, 5th	81
Morro Castle, Santiago.....	86	Street.....	81
Nuevitas.....	91		

This roster is published for the transaction of business in the Division. Errors to be reported to the Adjutant General of the Division.

BY COMMAND OF MAJOR GENERAL WOOD:

W. V. RICHARDS.

*Adjutant General*

*Hdqrs. Div. Cuba.  
January, 1900.*

# INDEX.

## A.

	Article.
Abandoned goods, proceeds of, not to be returned to owner.....	109, 110
wreck, merchandise of, who is owner.....	161
Abandonment, implied, described.....	157
must be so declared in writing by collector of customs.....	158
of merchandise exempts from payment of duties.....	110, 157
Abatement of duty on dead animals.....	174
Accidents at sea to be reported by captain to surveyor.....	81
to goods, how invoices are affected thereby.....	108
Accounts must be submitted to proper inspection.....	13
principal customs officers required to keep.....	13
public property to be accounted for as prescribed by military gov- ernor.....	14
of bonded warehouses to be examined.....	192
of money Secretary of War may require.....	14
to be rendered in proper form.....	14
Accurate returns to be made by appraiser.....	181
Acting collector of customs.....	3
Correspondence of, how transmitted.....	5
To render reports.....	5
Who may be appointed.....	3
Additional duties.....	224
assessed against consignees, when.....	226
Additions to manifest null and void.....	77
Addressee of letters containing merchandise required to appear at post-office.....	141
Admeasurement of vessels for registry to be performed by surveyor.....	22
Advertisement of sale, how paid for.....	110
Ad valorem duties, how calculated.....	100
market value of goods, basis of.....	100
merchandise subject to.....	100
wholesale price, basis of.....	100
to include value of container.....	100
Affidavit, false, penalty for.....	221
Agents of consignees.....	98, 97
marine insurance companies, when considered consignees.....	94
vessels, when allowed to board.....	65
Alcoholic liquors for post exchanges not free.....	69
Allowances for damage and short shipments not allowed.....	172
Alterations in bonded warehouse, provisions for.....	190
require new bonds.....	190
Altered receipts must be investigated.....	44
Amended returns of weights must be checked or signed by weigher.....	58
approved by surveyor.....	58
original figures not to be erased.....	58

	Article.
American consignments renounced, procedure for .....	118
flag, what vessels may fly .....	179
Ammunition not to be carried on vessels engaged in coasting trade .....	179
Amount of bonds of employees to be determined by collector .....	62
duty on baggage that may be remitted .....	72
Anchorage, place of, to be indicated by port authorities .....	80
Anchoring place, procedure on entering .....	78
Animals imported, claim for damages to .....	174
Appeals provided for .....	17
Application for establishment of bonded warehouse .....	188
permit for transfer of merchandise .....	156
vessels to engage in export trade .....	147
to enter goods without invoice .....	104
collector of customs to export for repairs .....	73
Appraisal of merchandise, expenses of, how to be paid .....	110
goods admitted free are to be appraised .....	129
how made where there is no appraiser .....	137
letters, accounts, and invoice must be produced .....	137
oaths may be administered for .....	137
order for, to be issued .....	131
samples must be submitted to collector .....	134
when to be made .....	112
where to be performed .....	73, 135
who may be present at .....	73
Appraisers, division of appraisers .....	129, 130
information to be furnished by, to collectors .....	133
may demand the production of documents .....	157
examine importers under oath .....	137
must apply paragraphs, rules, etc., of tariff .....	131
closely inspect all articles .....	134
observe rules of collector of customs for Cuba .....	131
report to collector of customs .....	133
verify prices on entry with market value .....	132
the representative of collector of customs .....	129
responsible to collector for correct appraisal .....	131
to describe merchandise, how .....	132
report in writing to collector .....	132, 133
supervise appraisal of all merchandise .....	130
under control and direction of collectors .....	129, 132
Appraiser's store to receive samples of cargoes in bulk .....	40
warehouses, persons excluded from .....	73
Approval of surveyor required on amended return of weights .....	58
Arms not to be carried on coasting vessels .....	179
Arrests may be made by masters of light-house tenders .....	34
Arrest of persons violating the law .....	246
Articles known as oleomargarine .....	71
purchased by Departments of Government dutiable .....	70
which may be exported for repairs .....	73
Artificial butter to be branded as oleomargarine .....	71
Assistant weighers to be assigned to duty by weigher .....	53
Attacks by pirates, how guarded against .....	243
Auction sale of goods not duly entered .....	107, 109
Audiencia de lo criminal, jurisdiction of .....	221
Authority for withdrawal of bonded goods .....	206

	Article.
Authority of customs agents, how secured .....	93
Authorization of consignee's clerks necessary .....	98
to open all packages .....	67
concealed spaces .....	67
destroy false; bottoms .....	67
partitions .....	67
bulkheads .....	67
Average weight of steel rails, how to be secured .....	59

## B.

Baggage, duty on, not to exceed \$1 may be remitted .....	72
examination to be made in presence of owner .....	188
landed before persons are permitted to board vessels .....	65
list of, to be produced .....	80
of officers and enlisted men admitted free .....	234
of passengers, how landed .....	122
owner of, to be examined .....	188
permits to be entered in discharging book .....	51
unclaimed, how disposed of .....	188
when examined .....	188
when passengers are to be searched .....	188
when sent to warehouse .....	188
Ballast must not be taken on board while vessel is unloading .....	45
Banker, when considered as consignee .....	94
Basis for computing periods granted for customs operations .....	88
of classifications made by appraisers .....	134
Barges, general bond for .....	199
Beam of scales, how to be poised .....	57
to be kept clean .....	57
to be tested frequently .....	57
Bills of lading made to order to be stated in manifest .....	87
may be transferred by indorsement .....	94
necessary for all transport shipments .....	234
to accompany entries .....	98
to be indorsed to importer .....	98
Blank dock book for weighers .....	55
how to be kept .....	55
spaces in manifests to be "lined" .....	77
Blanks used at the expense of the interested party .....	220
Boats not allowed to go alongside vessels in port .....	65
Boarding inspectors, duties of .....	31
must ascertain name of vessel and master .....	31
board all vessels coming from foreign ports .....	31
certify the manifest of cargo .....	31
examine documents relating to vessel and crew .....	31
have charge of vessel until permit for unloading	
is granted and a discharging officer is assigned	
to vessel .....	31
learn name of port of departure of vessels boarded .....	31
seal hatches and openings when necessary .....	31
verify manifest of cargo by actual examination .....	31
Board of Appeals, action to be forwarded to collector of customs for Cuba .....	242
appointed by collector of customs .....	286

	Article.
Board of Appeal, decisions reached by majority vote .....	239
how appointed .....	236
majority of, constitutes a quorum .....	236
to consider protests .....	236
hear evidence of protest .....	237
keep full record of proceedings .....	238
submit findings to chief of customs service .....	238
vote of, to reconsider decisions .....	240
Bond, amount of, to be determined by collector .....	62
class of surety for .....	62
for establishment of warehouse .....	188
form of, to be prescribed by collector .....	62
must be good and valid .....	61
necessary for night discharge of vessels .....	118
new, when required .....	189
object of .....	61
of customs employees .....	61
agents .....	93
to be registered .....	93
required for export of bonded goods .....	214
to be executed before collector .....	188
given by owner of vessel engaged in coasting trade .....	179
for production of invoice .....	104
who are to furnish .....	61
Bonded goods, how transferred .....	202
liable for duties in force at time of withdrawal .....	219
must be warehoused by shipping marks .....	195
must be numbered consecutively .....	195
period allowed for storage of .....	193
merchandise to be noted on manifest .....	123
privilege not to be abused .....	123
stores to be guarded by night inspectors .....	35
warehouses, classes of .....	184
may be discontinued, when .....	192
under customs locks .....	186
Book of weights to be filed within six days after discharge of vessel .....	56
Books to be kept by district inspectors .....	25
of bonded warehouses to be examined .....	192
Broken seals, penalties for .....	224
to be reported to collector of customs .....	119
Building, part of, may be bonded .....	186
Bulk cargoes, how treated .....	40
Bulkheads of vessels may be destroyed .....	67
Bulky articles may be stored in warehouses of class 3 .....	187
Bulletin board of custom-house .....	89
purpose and object of .....	89
Butterine to be branded as oleomargarine .....	71

## C.

Cancellation of export bond .....	216
Capacity of vessels in which importations may be made .....	111
Captains entering port through stress of weather shall present copies of manifest .....	77
must keep record of payments of foreign tonnage dues .....	180



	Article.
Captains, name to be given in manifest.....	77
of steamships to make oath of truth of manifest.....	117
to notify collector when ready to sail.....	153
Cargo and manifest must agree.....	76
for immediate delivery, where landed.....	115
in bulk, how entered in manifest.....	77
how treated.....	40
lost at sea to be reported to surveyor.....	81
manifest of, sworn to by master.....	75
must not be taken on board while vessel is discharging.....	45
of coastwise vessels, when considered foreign.....	166
contraband vessel to be sent to custom-house.....	128
each vessel, weight of, separate book for each.....	56
transport.....	234
vessels engaged in coasting trade may be examined.....	179
to be accounted for before clearance is granted.....	90
checked out by marks and numbers.....	50
discharged at different ports.....	84
examined by boarding inspectors.....	31
landed under supervision of inspectors.....	115
transferred to be accounted for by coast inspector.....	33
removed at night, how done.....	35
when it may be reloaded.....	159
Carriage of merchandise by custom-house to be charged against same.....	67
Cartmen transporting dutiable goods must produce license.....	43
Carts, general bond for.....	199
Casks of wine in bond may be refilled.....	206
Casualties to vessels to be reported.....	163
Cashiers of custom-houses to record payment of foreign tonnage dues.....	180
Cattle may be landed without delay.....	121
Causes of entrance through stress of weather must be stated.....	159
Certificates for delivery of goods.....	50
lading.....	216
unlading vessels.....	159
of clearance.....	153, 168, 179
collectors of payment of tonnage dues.....	181
consuls.....	75, 99
deposit of ship's papers.....	75
draymen.....	43
health of cattle.....	121
lightermen.....	43
payment of foreign tonnage dues.....	180
seizure.....	128
shipments "in part".....	28
of merchandise.....	27
surveyor of the port of necessity for unlading.....	159
weighers and gaugers.....	27
weights.....	60, 120
withdrawal for export.....	214
value of coin.....	99
Changing anchorage, penalty for.....	224
Character of merchandise to be given in manifest.....	77
Charges due on unclaimed goods, how to be paid.....	110
to be paid from sale of warehoused goods.....	110

	Article
Charity, shipments devoted to, must be manifested .....	234
Chief inspector to assign night force to duty .....	37
see that orders of surveyor are obeyed .....	37
make daily reports .....	37
supervise night inspectors .....	37
of customs service .....	2
authority of, how conferred .....	2
duties of .....	2
must be an officer of the Army .....	2
title of .....	2
under orders of military governor .....	2
Chiefs of departments to give receipts for declarations .....	112
Chronometers may be landed for repairs under bond .....	122
Cigars brought by passengers may be entered free .....	122
Circular No. 31, Division of Insular Affairs .....	71, 221
Circumstances calling for surrender of coasting permit .....	178
of entrance through stress of weather must be stated .....	150
Citations for captains, how served .....	88
Citizens and police to aid night inspectors .....	36
Civilian passengers on transports, regulations for .....	234
Claims for damages not allowed for injury caused in searching vessels .....	67
Classes of bonded warehouses .....	184
Classification of merchandise to be decided by customs inspector of Habana .....	17
Clearance certificate to be presented to consul .....	75
issued by collector .....	75
of vessels, when permitted .....	90
not permitted till cargo has been discharged .....	90
papers to be produced by masters .....	75
permits for coastwise vessels .....	168
Clerical errors may be corrected .....	136
Clerks of consignees .....	93
Coal may be stored in warehouses of class three .....	187
must not be taken on board while vessel is discharging .....	45
on vessel to be entered in report of discharging inspector .....	51
Coasting permits must be approved by military governor .....	177
when renewed .....	178
trade of Cuba, what vessels may engage in .....	177
vessels to be examined and record made thereof .....	25
Coast inspectors .....	32
must keep account of cargo transferred .....	32
make two manifests of transferred cargo .....	32
proceed to location of wrecked or stranded vessel .....	32
protect interests of the revenue .....	32
purpose of appointment .....	32
to guard wreck or stranded vessels .....	32
oversee all merchandise landed .....	32
report facts of wreck to surveyor .....	32
when to take charge of goods landed from wrecked vessels .....	32
surveillance .....	64
when it begins .....	64
terminates .....	64
where exercised .....	64
Coastwise trade described .....	166
what vessels may engage in .....	166

	Article.
Coastwise vessels can not touch at foreign ports .....	166
clearance of .....	168
Coins of the United States to be received for duties .....	99
Collection district, on entering, manifest to be produced .....	79
Collector of customs, all doubtful questions to be referred to collector of chief port .....	15
directed to perform certain duties formerly belonging to United States consuls .....	15
civil officials may be appointed to act temporarily as acting collectors .....	8
correspondence of, how transmitted .....	5
holds possession of all merchandise until duties are paid .....	18
is the chief officer of the customs district .....	18
laches of subordinates, not liable for .....	19
may annul authority of clerks .....	98
appoint deputy collectors .....	21
extend period of 90 days for entry of merchandise .....	107
issue permission to engage in coastwise trade .....	167, 177
remit duties not to exceed \$1 .....	72
must certify or order certification of balances after due examination .....	15
declare merchandise abandoned in writing .....	158
indorse their views on all documents submitted for that purpose .....	15
require all subordinates to comply with customs laws, regulations, and all orders .....	15
• see that register of collections is correct .....	15
not liable for losses occasioned by their official acts .....	19
officers of the Army to act as .....	3
renunciation of consignment addressed to .....	94
required to comply with these regulations, the cus- toms laws, and general and special orders .....	15
shall appoint the employees of the respective customs houses .....	15
forward all reports required by superior author- ity .....	15
require cashiers and employees to make deposits punctually in public treasury .....	15
safeguard moneys while in their possession .....	16
see that all duties, taxes, and imposts are col- lected at the proper time .....	15
to designate employees who are to be bonded .....	61
file and stamp manifests .....	82
authorize discharge of vessels .....	115
be notified of liens for freight .....	114
certify to duplicate manifest .....	158
countersign permits to engage in coasting trade .....	177
decide all questions raised in the dispatch of merchandise .....	15
direct appraisers .....	132
examine all entries .....	101
fix bonds of customs agents .....	93
furnish certificates of weight .....	60
have custody of merchandise unladen in distress .....	159

	Article.
Collector of customs to inspect oleomargarine .....	71
issue certificate based on statements relative to seiz-	
ure of contraband vessels .....	128
clearance to vessels .....	75
keep registry of authorization of clerks .....	93
order delivery of abandoned goods .....	110
post notices on bulletin board .....	89
prescribe interior regulations of the respective	
custom-houses .....	15
receive consular certificate of deposit of ship's	
papers .....	75
render reports .....	5
require correction of all erroneous entries .....	101
sell goods not entered within ninety days after im-	
portation .....	107
send goods to general order stores, when .....	87
take possession of all unclaimed goods .....	52
goods not discharged at proper	
time .....	52
vessels are subject to his authority while in port. ....	18
Combined warehouse and transit bond .....	201
Commercial code to govern disposal of renounced consignments .....	113
Common carriers, bond of, for transportation of goods in bond .....	203
must report arrival of goods at destination .....	201
of goods in bond, liability of .....	123
Companies, marine insurance, when considered consignees .....	94
Compensation allowed for working at night .....	118
Competent tribunal to determine salvors' interest in wrecked goods .....	161
Compounds of butter to be known as oleomargarine .....	71
Computing periods for customs operations, basis of .....	83
Concealed merchandise, how disposed of when penalties are not paid .....	157
spaces on vessels may be opened .....	67
Concealment of books or papers, penalty for .....	221
Conditions calling for surrender of coasting permit .....	178
Conductors of cars to receive manifests from district inspectors .....	37
Confiscated merchandise to be sold .....	108
proceeds of, to be delivered to collector .....	108
Confiscation of goods not duly passed at custom-house .....	106
Consignees, classes of .....	92
may employ clerks for customs operations .....	93
Consignee of vessel to be given in manifest .....	77
when not found, procedure .....	113
who is so considered .....	94
of goods consigned to order .....	94
Consignment may be admitted or renounced .....	94
renounced, procedure for .....	113
Consular certificates, when not required .....	78
to show value of foreign coins .....	99
Consuls allowed to board incoming vessels .....	65
methods of, for certifying to manifests .....	77
of a friendly nation to certify invoices of goods shipped to the	
United States .....	15
nation of contraband vessel to be notified of seizure .....	128
to be advised of abandoned merchandise .....	113

	Article.
Consuls to receive ship's papers .....	75
when considered as owner of merchandise .....	113
Consumption permit must agree with entry .....	98
to be entered in the discharging book .....	51
Container, value of, to be included in assessing ad valorem duties .....	100
Contents of liens for freight .....	114
packages to be marked .....	105
manifest .....	77
Contraband merchandise not to be exported .....	91
vessels, all hatches to be closed and sealed .....	128
Copies of declaration must agree .....	97
landing permits to be made .....	53
manifests for partial discharges .....	84
general manifests to be presented at each port .....	84
certification of, .....	84
Corporations may furnish a general bond .....	199
to forfeit all oleomargarine not branded .....	71
Correct returns must be made by appraiser .....	181
Corrections in manifest not certified, null and void .....	77
of manifest, when permitted .....	76
Correspondence of collectors and acting collectors to be transmitted through office of principal customs port .....	5
Cost of sending goods to warehouses to be avoided, when .....	41
Country of final destination of exported merchandise to be stated .....	150
Cove, when entered by vessel, manifest to be delivered to inspector .....	78
Crafts entering wrecked goods must manifest cargo .....	161
Crew, documents relating to, to be examined by boarding inspector .....	81
of vessels engaged in coasting trade may be examined .....	179
Criminal courts have jurisdiction in customs cases .....	221
Cruising ground for Revenue-Cutter Service .....	248
Cuban productions are to be entered free .....	161
vessels authorized to clear for foreign ports .....	179
in ports of United States subject to section 2497 of Revised Statutes .....	179
only to engage in coasting trade .....	166
wrecked, not dutiable .....	161
Customs agents to furnish bond .....	98, 97
duties collected by postmasters, when .....	142
employees—Inspectors, all goods seized to be sent to the public stores .....	24
assigned to duty by surveyor .....	24
forbidden to perform any private or unof- ficial duties on board vessels .....	24
must ascertain whether incoming vessels are provided with signal lights ...	24
send receipts and reports to sur- veyor .....	24
take receipt of storekeeper for such goods .....	24
on special service, required to wear uni- forms, where .....	24
to be appointed by surveyors .....	24
superintend unloading of vessels at night .....	35

	Article.
Customs employees—Inspectors, when collector may appoint .....	24
Customs districts, description of .....	5, 247
Custom-houses, description of .....	1
for what purpose established .....	2
how established .....	1, 4
locks, where to be used .....	30
of second class .....	2
two classes of .....	2
Customs officials, duties of .....	
collection of duties .....	6
fees .....	6
penalties .....	6
compilation of returns of commerce, navigation, and im- migration .....	6
disbursement of public moneys .....	6
documenting of vessels .....	6
exclusion of foreign vessels from coastwise trade .....	6
immigration laws, enforcement of .....	6
maintenance of laws .....	6
treaties .....	6
must warn and advise .....	8
prevention of smuggling .....	6
securing lawful revenue .....	6
suppression of smuggling .....	6
use and preservation of public property .....	6
Customs operations, who may perform .....	93
surveillance, by whom exercised .....	66
in jurisdictional waters .....	66
in ports .....	66
where exercised .....	66

## D.

Damage can not be claimed for losses occasioned by examination of vessel ..	67
of merchandise, no allowance for .....	172
to goods incurred on voyage, no allowance for .....	110
Date manifest is received to be stamped thereon .....	82
of landing goods from vessel to be noted in discharging book .....	51
warehousing must be placed on all bonded packages .....	195
Dead animals, abatement of duty on .....	174
Death of consignee, effect of .....	157
parties to a bond to be reported to military governor .....	189
Declarations and oath of consignee .....	97
copies of, must agree .....	97
of abandonment, when not necessary .....	157
wrecked merchandise .....	163
to be compared with manifest, invoice, and bill of lading .....	112
delivered to chiefs of departments .....	112
noted in register .....	112
numbered .....	112
sworn to for supplies for post exchanges .....	69
Decisions of collectors of subports to be forwarded to collector of customs for Cuba .....	241
Definition of printed matter .....	145

<b>Deliveries of goods from any vessel must correspond to landing permit for same</b> .....	28
<b>Delivery of merchandise to be made in open day</b> .....	118
<b>Deposit of ship's papers</b> .....	179
<b>Derelict merchandise is dutiable</b> .....	161
<b>Description to be made of unshipped merchandise</b> .....	29
vague, not allowed in manifests .....	77
<b>Destruction of invoice, penalty for</b> .....	221
<b>Differences in weight, penalty for</b> .....	234
<b>Discharge book to be delivered to surveyor</b> .....	50
duly signed .....	50
accompanied with permits and orders of discharge .....	51
<b>Discharge of vessels, collector to designate place for</b> .....	115
entering port in ballast .....	127
details of, how arranged .....	118
goods landed in error .....	123
goods without permit sent to general-order store .....	115
made under supervision of inspectors .....	115
nothing to be landed without permission .....	124
periods for .....	125
permit for unloading ballast .....	127
responsibility of captain in .....	115
rules for discharging cargo in bulk .....	121
to be performed in open day .....	118
to be performed within prescribed period .....	115
unloading of cattle .....	121
when permitted .....	115
<b>Discharging book to be kept by discharging inspectors</b> .....	50
must designate disposition of all packages .....	51
entries in, how to be made .....	50, 51
how to be kept .....	50, 51
<b>inspectors: alterations in receipts to be investigated</b> .....	44
are to check our cargo .....	50
assigned to vessels to examine cargoes .....	88
for storing or delivering of car-	
goes .....	88
to superintend unloading .....	88
duties of .....	88
extra hours of service to be paid for by shipper .....	47
have power to oblige cartmen and lightermen ex-	
hibit license to carry goods .....	43
how permits are to be entered in discharge book .....	51
must be constantly on duty until relieved .....	48
close hatches before leaving vessel .....	48
endeavor to save expense to owner of perish-	
able goods .....	41
have goods properly separated on wharves	
for convenience of weighers, gaugers, or	
markers .....	42
have goods weighed, gauged, or measured be-	
fore removal .....	43
lock room or safe where valuables are stored .....	39
not allow ballast or coal to be loaded while	
vessels are discharging cargo .....	45

	Article
Discharging inspectors must not allow unloading of goods before sunrise or after sunset .....	46
report condition to night inspector when he takes charge .....	48
disobedience of lightermen or cart- men .....	43
to what places goods are sent .....	50
secure all unbroken packages of sea stores .....	38
submit discharge book to surveyor .....	51
to surveyor all vouchers relating to disposition of the cargo .....	51
not allowed to leave vessel without consent of sur- veyor .....	48
samples of cargo in bulk to be sent to appraiser's store .....	40
to cancel or remove all customs seals before deliv- ering goods for further transportation .....	49
keep a discharge book .....	50
personally examine vessels before reporting them fully discharged .....	52
report all explosive or perishable goods imported. goods on board after discharge period has expired .....	41
coal on board vessels .....	51
excess of sea stores .....	38
seize all goods removed in violation of law .....	42
send mail to nearest post-office .....	38
unsigned receipt with each load of goods to warehouse .....	44
take charge of specie and valuables .....	39
officers assigned to vessels .....	31
Disobedience of customs orders or regulations to be reported to surveyor .....	43
Disposal of explosive substances .....	200
Disposition of duplicate manifest .....	153
perishable goods .....	200
printed matter relating to lotteries .....	146
refitted vessel .....	165
unshipped packages .....	39
Dispositions of the tariff must be applied by appraiser .....	131
Disputes over charges for warehousing goods, how decided .....	186
Distress, vessels in .....	159, 342
District inspectors, books to be kept by .....	35
certificates of shipment, made by .....	38
in charge of final delivery to make final return of dis- charge .....	35
have general supervision of all vessels coming into their districts .....	35
how report of partial discharge of vessel is to be made .....	35
must be in their respective districts during such hours as the surveyor may direct .....	35
certify to manifests delivered to masters or con- ductors .....	35
give name of weigher or gauger underneath certi- cate of shipment .....	35



District inspectors must specify underneath certificate number of packages not shipped and reason, if known .....	28
state disposition made of unshipped portion of shipment .....	28
record book to be kept by .....	25
to ascertain if Cuban vessels are properly documented... have complied with navigation laws .....	25
examine vessels coming into their district .....	25
retain custody of vessels until relieved by discharging inspectors .....	25
secure and seal all hatches and openings of vessels from foreign ports which enter their district .....	25
supervise shipment of goods for export .....	26
transportation in bond .....	26
when shipments are to be indorsed "shipped in part" ..	28
there are two inspectors one must be constantly on duty .....	25
to indorse on original entry certificate of shipment .....	27
Division appraisers. (See Appraisers.) .....	
Division of insular affairs, circular of, No. 31 .....	71
Dock book for weighers .....	55
how to be indorsed .....	55
kept .....	55
to be corrected to agree with amended return of weights .....	58
Documents in support of protests to be presented .....	239
of vessels to be deposited with consul .....	75
relating to vessel and crew to be examined by boarding inspector ..	31
required for export of merchandise ..	151
to be presented for appraisal of merchandise .....	137
Double duties charged on provisions not listed with ship's stores ..	224
Doubts as to quality of goods, how decided ..	184
Draymen must produce signed receipt for goods delivered before intrusted with another load .....	44
or lightermen must give bond .....	198
Duress by enemies, obligations and privileges conferred by .....	78
Dutiable goods claimed as stores to be sealed by discharging collector ..	38
stored in bonded warehouses .....	184
mail held until duties are paid .....	142
Duties assessed on merchandise received by mail .....	139
must be paid on derelict merchandise .....	161
excessive ship's stores .....	86
not to exceed \$1 may be remitted .....	72
of consuls of the United States performed by collectors of customs ..	15
Revenue-Cutter Service .....	242
weighers .....	53-60
on baggage and effects, when remitted .....	72
passengers' effects, when remitted .....	122
to be paid from proceeds of sale .....	110
Duty, amount to be paid on merchandise to be decided by customs inspector at Habana .....	17
Duty-paid merchandise, when to be sold by collector .....	193

	Article.
Duty, neglect of, to be reported to surveyor by weigher .....	53
performance of, guaranteed by bond .....	61
E.	
Effects of passengers ( <i>see</i> Baggage).	
when admitted free of duty .....	123
duties on, not to exceed \$1 may be remitted .....	72
Employees not restricted in discharge of their duty .....	67
Entrance of vessels through stress of weather .....	159
Entries of district inspectors to be made with necessary particulars .....	25
Entry of merchandise, agent must have power of attorney for making .....	97
amendments to, not permitted .....	97
collector of customs to examine .....	101
copies of, must correspond .....	97
declaration of, who may make .....	95
must be numbered consecutively .....	96
different consignees can not unite in a single entry .....	96
methods of .....	95
form of declaration and oath .....	97
information to be set forth in entries .....	97
motive power of vessels to be stated in .....	102
must be accompanied by bill of lading and invoice .....	98
authorized by proper department of custom- house .....	96
made at custom-house of port of arrival .....	95
on entire sheets of paper .....	96
give port of origin .....	97
not contain amendments or erasures .....	97
number of must agree with permit .....	50
of steamships making regular trips .....	117
goods for warehousing must be in duplicate .....	194
should give number and paragraph of manifest .....	97
class, etc., of packages .....	97
weight of each article .....	97
state name of consignee .....	97
value of merchandise .....	97
to be duly recorded .....	112
made in duplicate or triplicate .....	96
when duties accrue .....	95
made in triplicate .....	201
who may make .....	95
Equipment may be landed for repairs under bond .....	123
of Cuban vessels wrecked not dutiable .....	161
Errors, clerical, may be corrected .....	136
in certified manifest to be reported .....	77
manifest do not cause forfeiture .....	76
for export, how corrected .....	149
Evidence in support of appeals .....	237
of fraud, penalty for destruction of .....	231
shortage must be presented to collector .....	174
to be taken for classification of goods .....	137
Examination by appraisers to be reported to collector .....	133
new, may be made in cases of suspected frauds .....	64
of account of bonded warehouses .....	192

	Article.
<b>Examination of baggage</b> .....	122
cargo and manifest by boarding inspector necessary.....	31
goods landed in error.....	123
merchandise, how performed.....	105
premises used for bonded warehouse.....	188
<b>Exceptions to regulations for deposit of ship's papers</b> .....	75
<b>Exchanges, post, what may be imported by</b> .....	69
<b>Exclusion of all persons from appraisals</b> .....	73
<b>Exceptional examination of goods to be reported</b> .....	135
<b>Execution of bonds before collectors</b> .....	188
<b>Exemption from duty of periodicals</b> .....	145
tonnage dues.....	176
<b>Expense of discharge of contraband vessel, how paid</b> .....	128
night discharge, on whose account.....	47
<b>Expenses incurred in seizure charged to consignee</b> .....	126
<b>Expense of appraisal, how paid</b> .....	110
storage and sale to be deducted from proceeds.....	107
vessels in distress to be paid for by sale of cargo.....	159
<b>Expiration of period granted for storage causes abandonment of goods</b> .....	157
<b>Explosives, not allowed in bonded warehouses</b> .....	200
to be reported to collector.....	41
when seized.....	226
<b>Exportations, application for, to be made to collector</b> .....	147
certificate of clearance, when granted.....	153
documents required for.....	151
expenses of lading for, by whom borne.....	151
how vessels are to qualify for.....	147
manifest of, to be presented.....	151
merchandise for, how examined.....	149
errors in, how corrected.....	149
of products of the island of Cuba.....	151
permit for, how issued.....	148
policy of vessels to be presented in duplicate.....	147
what they are to contain.....	147
special regulations for lines of steamers.....	149, 152
supervision of.....	151
vessels to engage in, to be examined.....	148
when night work shall be allowed.....	152
<b>Exportation for repairs</b> .....	73
<b>Export bond, when canceled</b> .....	216
<b>Export or transshipment entries to be returned to surveyor's office</b> .....	30
transport permits.....	51
<b>Extension of period allowed for storage of bonded goods</b> .....	193
<b>Extracts known as oleomargarine</b> .....	71

## F.

<b>Failure to appear to claim goods, effect of</b> .....	157
pay liquidated duties, penalty for.....	226
<b>False bottoms may be destroyed</b> .....	67
oaths, penalties for.....	97
<b>Families of soldiers, baggage of, entered free</b> .....	234
<b>Fees for consular services to be collected by collectors of customs and accounted for as customs collections</b> .....	15

	Article
Figures, original, of weigher not to be erased .....	56
and letters to be used in manifests .....	77
Findings of board of appeals must be in writing .....	237
Fine for consul returning ship's papers before clearance certificate is issued .....	75
failure to deposit ship's papers .....	75
permitting persons to board or leave vessel without consent of cus- toms officers .....	65
Firms may furnish a general bond .....	199
to forfeit all oleomargarine not branded .....	71
Firearms, when seized .....	236
Firkins containing oleomargarine to be branded .....	71
Flag of vessels engaged in coasting trade of Cuba .....	177
Foreign goods landed from a vessel in distress are dutiable .....	161
merchandise, transit of .....	154
in transit not liable for duties .....	154
vessels not engaged in trade exempt from tonnage taxes .....	176
obligations of masters of .....	75
to deposit ship's papers with consul .....	75
when permitted to engage in coastwise trade .....	166
Forfeiture of merchandise .....	222
not on manifest .....	76
when remitted .....	76
Form of bond of employees to be prescribed by collector .....	63
Forms, application to enter goods without invoice .....	104
declaration of owner .....	97
consignee .....	97
Form for manifest of packages carried in transit .....	154
withdrawal for exportation .....	211
of oath of consignee .....	97
owner of merchandise .....	97
declaration on export withdrawal .....	212
export delivery permit .....	215
issuing permits to engage in coasting trade .....	179
order for examination of bonded goods withdrawn for export .....	216
permit to unlade ballast .....	127
transfer of merchandise in bond .....	198
withdrawal permit .....	206
Forms, blank, at the expense of the interested party .....	230
Four leagues, limit of jurisdictional waters of Cuba .....	64
Fractional silver of the United States to be received in limited amounts .....	99
Frauds, when suspected, may be investigated .....	64
Fraudulently entered goods to be forfeited .....	106
Free merchandise to be appraised .....	129
of duty, supplies for United States Army and Navy .....	69
pratique, admission to .....	81, 85
permits to be entered in the discharging book .....	51
Freight carried from United States on Army transport .....	233
due, to be paid from sale of unclaimed goods .....	110
Funds, employees in charge of, to be bonded .....	61
G.	
Garrisons, officers in charge of post exchanges .....	69
Gaugers or weighers, names of, must appear on certificates .....	27, 51
General bond for lighters or drays .....	199
manifest must state packages transferred .....	155

	Article.
General order stores, goods in, when to be sold .....	109
when goods are to be sent to .....	87
transportation bond .....	202
Gold coin to be received for duty .....	99
Goods consigned to order to be noted in manifest .....	77
devoted to charity must appear on manifest .....	238
imported in any vessel must correspond to landing permit .....	28
in bond liable for duties in force at time of withdrawal .....	219
period allowed to remain in storage .....	193
samples of, may be taken .....	205
in transit, general manifest for necessary .....	224
landed are to be properly separated on wharves .....	42
may be followed when frauds are suspected .....	64
must all pass through custom-house .....	67
be examined in appraisers' room .....	185
not duly entered within ten days to be placed in store .....	116
passed at custom-house to be seized .....	106
on vessel not manifested, penalty for .....	224
to be arranged on wharves for convenience of weighers .....	42
entered within ninety days after importation .....	107
undervalued, when confiscated .....	226
when forfeited to Government .....	106
Government stores used for storage of seized goods .....	185
to pay duty on supplies .....	70
vessels exempt from tonnage taxes .....	176
Governor-General must approve permits to engage in coasting trade .....	177
to be advised of American consignments renounced .....	113
Gross tonnage to be stated in manifest .....	77
weight of packages to be given in manifest .....	77
Gunpowder not allowed in bonded warehouses .....	200

## H.

Harbor improvement taxes .....	175, 176
Hatches and openings of foreign vessels to be sealed by district inspectors ..	25
closed by revenue officers .....	244
of contraband vessels to be closed and sealed .....	128
to be opened only in presence of collector .....	128
sealed by boarding inspectors .....	31
Habana designated as principal customs port of Cuba .....	5
Health certificate necessary for cattle landed .....	121
officers permitted to board incoming vessels .....	65
Heavy articles may be stored in warehouses of class three .....	187
Hour manifest is received to be stamped thereon .....	82
Hours when vessels may be unladen .....	46

## I.

Identification of articles exported for repairs .....	73
Implements and weights to be tested .....	54
Implied abandonment, how decided .....	157
Importations by sea .....	67
not entered within ninety days to be sold .....	107
of oleomargarine to be inspected by collector .....	71

	Article.
Importations, when considered as beginning.....	68
of goods free of duty, when concluded.....	68
Imported animals, claim for damages to.....	174
Importer must deliver abandoned goods as directed.....	110
may abandon all or part of shipment.....	110
examine bonded goods.....	205
must give bond for duty on goods in bonded warehouse.....	195
not liable for duty on abandoned goods.....	110
right of appeal from appraisement.....	161
Importing vessels, when vessels are so considered.....	68
Imprisonment of persons committing frauds against the revenue.....	221
Incorporated companies may act as sureties.....	188
Information furnished by appraisers to collectors.....	133
Injury to persons on vessels to be reported.....	163
Insolvency of parties to a bond to be reported to military governor.....	189
Insurance companies, marine, when considered consignees.....	94
Interlineations in manifests, null and void.....	77
Interior circulation.....	182
employees of custom-houses to exercise surveillance.....	66
Inventory of wrecked cargo.....	163
Investigations made by judges.....	221
Invoices, bond to be given for production.....	104
fraudulent, penalty for.....	221
may be divided, how.....	194
cover goods for consumption and for warehouse.....	217
penalty for failure to produce.....	104
pro forma.....	104
required for each separate shipment of goods.....	103
to be compared with entry.....	104
reduced to the currency of the United States.....	99
state country of origin of goods.....	103
weight of steel rails in, when accepted.....	59
Iron, heavy, may be stored in warehouses of class 3.....	187
railroad, how to be weighed.....	59
"I. T." permits to be entered in the discharging book.....	51

## J.

Judges of first instance, authority of.....	221
instruction, authority of.....	221
Jurisdictional waters of Cuba.....	64

## L.

Labor in handling bonded goods, how paid.....	186
Lading for export to be verified.....	151
of merchandise, documents required for.....	151
permits, under what conditions granted.....	45
Landed goods to be properly separated on wharves.....	49
Landing from vessels in port.....	65
permit necessary for seized goods.....	126
Language of manifest.....	77
protests.....	240
Lardine to be branded as oleomargarine.....	71
Leaf tobacco unclaimed to be destroyed, when.....	107, 108

	Article.
Legal holidays, legal effect of .....	84
introduction of merchandise, how performed .....	87
period for discharge of vessels .....	125
proceedings not stayed by fines .....	232
Legitimate importation to be proven .....	183
Letters and figures to be used in manifests .....	77
carried contrary to law to be seized .....	12
containing dutiable merchandise, how examined .....	141
may be seized, when .....	12
suspected of containing merchandise, how marked .....	142
when delivered without being opened .....	142
opened in presence of customs officers .....	141
Liability of agents and principals .....	97
common carriers for goods in bond .....	123
customs officers as to bonds .....	68
officers who certify shipments without due inspection .....	80
Libeled for salvage, merchandise .....	161
Liens for freight, form of .....	114
must be satisfied .....	114
notice of, to be given to collector of customs .....	114
on goods for immediate shipment can not be recognized .....	114
to be verified by affidavit .....	114
Life, loss of, to be reported .....	163
Lighters, general bond for .....	199
can not approach vessel other than the one being unladen .....	116
discharging cargo to be accompanied by an inspector .....	116
must discharge at once on wharves .....	116
have manifest before allowed to depart from wreck .....	33
manifests must be in prescribed form .....	33
by whom to be signed .....	33
how disposed of .....	33
Lightermen and draymen must furnish bond .....	198
engaged in transporting dutiable goods must produce permit .....	
when requested .....	48
Limitations of articles to be admitted free for post exchanges .....	69
Liquidation dock book to be verified .....	55
Liquidated duties, when to be paid .....	226
duties, damages not considered in .....	110
List of harbor-improvement taxes .....	175, 176
passengers to be produced .....	80
Local authorities, when manifest to be delivered to .....	78
Locks tampered with, to be reported to collector .....	204
Log book, fine for failure to present .....	224
to be examined by surveyor .....	81
Loss of coasting permit, how proven .....	178
life to be reported .....	163
Lottery tickets, disposition of .....	146

## M.

Machinery allowed to be transported coastwise .....	171
Mail bags, sealed, delivered to postmasters .....	140
packages, when sent to custom-house .....	142
to be sent to post-office by discharging inspector .....	38
Mails, examination of .....	139, 141

	Article.
Malt liquors for post exchanges not free .....	69
Manifests, additions to, null and void .....	77
and cargo must agree .....	76
cargo in bulk, how entered in .....	77
consignee to be given in .....	77
contents of .....	77
copies of must agree with original .....	79
when to be delivered .....	77
copy to be sent to port of destination, when .....	84
corrections of, when allowed .....	76
duplicate to be certified by collector .....	153
for each port of entry .....	77
export to be sworn to .....	153
part of cargo discharged .....	84
gross tonnage to be stated in .....	77
interlineations, not permitted in .....	77
in triplicate, when necessary .....	203
language of .....	77
merchandise not on, forfeited .....	76
must be certified to by district inspectors .....	27
state packages carried in transit .....	154
name of captain to be given in .....	77
of baggage to be produced .....	80
cargoes to be certified to by boarding inspector .....	31
coastwise vessels .....	169
merchandise laden for foreign ports .....	155
route of vessel to be delivered .....	91
transport to be presented at custom-house .....	234
wrecked or derelict merchandise .....	161
penalty for erroneous .....	76, 221
period for producing .....	75
ports of departure to be stated in .....	77
post entries on, when permitted .....	76
register of vessel to be given in .....	77
the basis of all port operations .....	77
time of delivery of, to be stamped on by surveyor .....	82
to be posted on bulletin board .....	89
to be examined by customs officer .....	79
presented to collector .....	153
first customs officer boarding vessel .....	79
returned to captain .....	78
signed and sealed by consul .....	77
stamped "Admitted" by collector .....	82
sworn to by master .....	77
prepared of cargo of wrecked vessels .....	33
two copies in Spanish to be delivered .....	84, 77
to state consignee .....	87
bills of lading made "to order" .....	87
vague descriptions of, not permitted .....	77
weights always to be given in .....	77
when Spanish copies are to be presented .....	84
Manner of issuing permits to engage in coasting trade .....	179
Manufactured substances known as oleomargarine .....	71
Marks, numbers, and weights of packages to be given in manifests .....	77



	Article.
<b>Masters may appeal, when</b> .....	77
entering port through stress of weather shall present copy of manifest.....	77
must not allow persons to board vessel until customs officers take charge thereof.....	65
present clearance papers to consul .....	75
produce manifests of cargo.....	75
to forfeit value of merchandise not manifested .....	76
of lighters to be under bond .....	116
light-house tenders have police powers of search.....	34
vessels engaged in coasting trade may be examined .....	179
in distress, when liable to fine.....	159
to receive certified manifests from district inspectors .....	27
report sea stores to discharging inspectors .....	38
<b>Materials for Army, Navy, and Marine Corps to be admitted free</b> .....	69
used in repairs of vessels dutiable.....	69
<b>Mayors may authorize search, when</b> .....	11
<b>Marine Hospital Service may place vessels under "observation"</b> .....	85
supplies for .....	69
to deliver manifests to surveyor of port.....	85
inspect all vessels .....	81
insurance companies, when considered consignees .....	94
<b>Measures and weights, when tested</b> .....	23
to be compared with standards.....	23
<b>Merchandise abandoned to marine insurance companies</b> .....	94
brought by passengers to be entered.....	122
liable to seizure.....	227
confiscated to be sold .....	108
consigned to order, disposition of .....	87
consignees of .....	92
deposited in general-order stores, when to be sold .....	109
imported in vessels of less than 80 tons capacity confiscated.....	223
in abandoned vessels, consignees of .....	94
bulk, how unladed .....	121
landed in distress dutiable .....	161
error, procedure for.....	123
libeled for salvage .....	161
must not remain over-night on wharves.....	152
pass through custom-house .....	67
not duly entered to be forfeited .....	106
on manifest to be forfeited .....	76
to be landed between sunset and sunrise.....	35
of more than \$100 in value not to be admitted without invoice.....	104
picked up at sea is dutiable .....	161
salvors of, considered as consignees.....	94
taken from a wreck is dutiable.....	161
transported in bond to be sealed.....	123
unshipped must have ticket stating whether for export or transportation.....	29
when considered as abandoned.....	113
duties are paid and not removed from custom-house, how disposed of .....	157
<b>Merchants, when they may declare it necessary to unlade vessels</b> .....	159
<b>Method of keeping dock book</b> .....	55

	Article.
Military governor of Cuba may establish or suppress custom-houses.....	4
prescribe forms for accounting .....	14
to approve form of bond for bonded warehouse.....	188
permits to engage in coasting trade.....	177
public sale of certain goods .....	107
be notified of destruction of bonded ware- house.....	120
prescribe disposition of abandoned goods ....	110
restrictions for importations of Army supplies .....	69
order disposition of lottery tickets.....	146
Misconduct of customs employees to be reported by weighers to surveyor ..	53
Missing packages of cargo, penalty for .....	222
when found must pay duty .....	173
Mixtures known as oleomargarine .....	71
Money, employees in charge of, to be bonded .....	61
kinds of, to be expressed in invoice .....	99
public, must be accounted for as required by military governor or Secretary of War .....	14
Moorings must be made at place indicated by authorities .....	80
Morning report of surveyor to collector, contents of .....	23
Motive power of vessels to be stated in entries .....	102
Moving of goods in bond must be done by bonded draymen or lightermen ..	196
Municipalities to pay duty on supplies .....	70
Municipal judges may authorize search .....	11

## N.

Names of captains to be given in manifests .....	77
placed on bulletin boards of custom-house .....	89
persons lost at sea to be reported .....	163
shippers to be given in manifest .....	77
vessel and master to be secured by boarding inspector .....	31
weighers or gaugers must appear on certificates .....	27, 51
Nationality of vessel to be stated on entry .....	97
Nationalized merchandise, how performed .....	168
Natural products laden at any point on coast .....	170
Navigation laws, violations of, to be reported to surveyor .....	23
Navy of United States, supplies for .....	69
Neglect of duty to be reported by weigher to surveyor .....	53
Neutrality laws enforced by Revenue-Cutter Service .....	243
New bonds, when required .....	189
coasting permits, when granted .....	178
examinations to be made in case of suspected fraud .....	64
packages must be marked like old ones .....	205
Newspapers exempt from duty .....	145
Night discharge of vessels only by special permit .....	46
inspectors, for what purpose appointed .....	35
may call on police and citizens to aid them .....	36
examine persons leaving vessels .....	36
question persons boarding vessels at night .....	36
stop persons from leaving vessels .....	36
must guard wharves .....	35
keep watch over vessels .....	35
prevent landing of goods between sunset and sunrise ..	35

Night inspectors must protect bonded warehouses from robbery .....	35
should examine packages taken from vessels at night .....	36
seize smuggled merchandise .....	36
to take precautions against smuggling .....	36
watch for small boats approaching vessels or wharves	
under their charge .....	36
may stop the landing of goods, when .....	35
Night permits, when necessary .....	35
must be exhibited, when .....	35
Night work, when permitted .....	152
Nonagreement of merchandise with manifest, penalty for .....	223
Nonmanifested merchandise of officers or crew to be forfeited .....	76
Notice of burning of bonded warehouse communicated to military governor .....	190
public sale of merchandise to be conspicuously posted .....	107
search of foreign vessels must be given to proper consul .....	9
on bulletin board to be authenticated by collector .....	89
to be given of desire to refit wrecked vessel .....	165
Notifications of captains, how served .....	88
Numbers, marks, and weights of merchandise to be given in manifests .....	77

## O.

Oath and declaration of consignee .....	97
for entry of goods for warehousing .....	194
of captain concerning ship's stores .....	86
master to manifest of cargo .....	75
showing impossibility of producing invoice .....	104
Oaths, false, penalties for .....	97
Object of bond furnished by customs employees .....	61
Obligations of masters of foreign vessels .....	75
owners of vessels engaged in coasting trade .....	179
Office of consignee the office of the master .....	88
consul, when residence of master .....	88
Officers of Revenue-Cutter Service may board vessels .....	244
Official correspondence, how transmitted .....	5
Officials of customs service—boarding inspectors .....	31
bonds of .....	61-63
coast inspectors .....	32-34
collectors of customs .....	15-21
customs inspectors .....	24
discharging inspectors .....	38-52
district inspectors .....	25-30
night inspectors .....	35-37
surveyor .....	23
weighers .....	53-60
Official standard of weights .....	54
Officials to pay duty on supplies furnished .....	70
Oleomargarine imported to be branded .....	71
must be sold from original packages .....	71
not properly branded, a fraudulent importation .....	71
to be seized and sold .....	71
circular relating to .....	71
Omission in documents, penalty for .....	221
manifest do not cause forfeiture .....	76

	Article.
Openings and hatches of foreign vessels to be sealed by district inspectors.....	25
Operations for entering goods must be correct.....	67
export, when prepared before vessel's arrival.....	152
Orders for delivery of goods to be made of record.....	50
Original and port marks must appear on packages for exportation.....	195
figures of weighers not to be erased.....	58
importers can not be relieved from liability for duties.....	197
Owners may secure delivery permit for perishable goods.....	41
must be present at examination of baggage.....	138
of merchandise, right of appeal from appraisement.....	161
unclaimed, to receive no part of proceeds of sale.....	109
to be advised of clearance of Cuban vessels for foreign ports.....	179
saved expenses.....	41
P.	
Packages containing oleomargarine to be branded.....	71
may be opened.....	67
not agreeing with permit.....	51
found on board.....	51
to be left on public wharves over night.....	119
on manifest, missing, penalty for.....	222
received by mail to be examined.....	139, 141
stored at captain's expense, when.....	113
transferred from one vessel to another must be manifested.....	156
Packing of merchandise, how to be done.....	105
Papers, fraudulent, penalty for presenting.....	221
of contraband vessels to be delivered to collector.....	128
Paragraphs of the tariff must be applied by appraisers.....	131
cited in appeals.....	238
Partial or port manifest to be certified.....	77
withdrawal from bonded warehouses, how permitted.....	196
Passengers' baggage, how landed.....	122
sent to public store, when.....	51
effects, when admitted free.....	123
Passengers, list of, to be produced.....	80
names of, to be on route manifest.....	91
on transport, regulations for.....	234
to be landed before other persons are allowed to board vessels in port.....	65
without dutiable property not to be detained.....	74
Payments of foreign tonnage duties to be noted.....	180
Penal provisions.....	235
Penalties ( <i>see</i> Fines), do not exempt from other legal proceedings.....	233
for broken seals.....	119, 224
changing anchorage without permission.....	224
concealed firearms or explosives.....	225
concealment of documents.....	221
delay of small boats in transit.....	234
destruction of documents.....	221
difference in weights.....	224
embarking goods other than at a port of entry.....	227
merchandise without permission.....	227
erroneous manifest.....	76, 221

	Article.
<b>Penalties for failure to give notice of arrival of vessel</b> .....	228
have manifest viséd .....	224
pay liquidated duties .....	226
present copies of manifest .....	224
declaration of merchandise deposited in	
warehouse .....	230
list of passengers .....	224
log book .....	224
manifest of baggage .....	224
general manifest of goods in transit .....	224
produce manifest .....	75, 224
invoice .....	104
foreign merchandise found on coasting vessels .....	229
goods undervalued .....	226
having goods on vessel not manifested .....	222
importing in vessels of less than 30 tons capacity .....	111, 223
landing passengers at wrong place .....	224
making false affidavit .....	221
statements .....	221
missing packages .....	222
misuse of American flag .....	179
neglecting to report loss at sea .....	163
nonagreement of merchandise with manifest .....	222
not having vessel's documents in order .....	224
stating increased tonnage of vessels .....	224
surrendering coasting permit .....	178
passengers bringing in merchandise .....	227
performing private service by inspectors on board vessels to	
which they are assigned .....	24
presenting false documents .....	221
fraudulent invoices .....	221
provisions not listed in ship's stores .....	224
putting to sea without complying with regulations .....	228
removing packages without permission .....	224
shipping merchandise coastwise without permit .....	229
small boats approaching other vessels .....	225, 230
transferring goods from one vessel to another without per-	
mission .....	230
undervaluation .....	104
unlawful wearing customs service uniform .....	232
willful acts of omission .....	221
certifying shipments without due inspection .....	30
<b>Periods allowed for bonded goods to remain in storage</b> .....	193
granted for depositing ship's papers .....	75
for customs operations, basis of .....	83
making protest of entrance through stress of weather .....	159
producing manifest of cargo .....	75
of ninety days may be extended by collector of customs .....	107
<b>Periodicals exempt from duty</b> .....	145
<b>Perishable articles to be reported to collector</b> .....	41
cargo, when sold .....	159
goods not allowed in bonded warehouses .....	200
goods to be retained on board vessels, when .....	41
<b>Perjury, penalties for</b> .....	97

	Article.
Permission for engaging in coastwise trade, how secured .....	166, 167
to be present at appraisals, how secured .....	73
fly the American flag, when granted .....	179
forward goods saved from a wreck .....	162
land without detention .....	74
Permits for baggage .....	51
boarding vessels .....	65
clearance for foreign ports .....	179
coasting trade .....	177
coastwise vessels .....	168
to be viséed .....	170
consumption .....	51, 98
delivery of goods for transport or export .....	51
" I. T. " goods .....	51
merchandise .....	41
discharge of cargo .....	18, 23, 31, 115
on holidays .....	118
goods to remain on wharves .....	152
lading merchandise for export .....	23, 148
landing .....	45
merchandise .....	23, 31, 126
must be recorded .....	50
lighters .....	171
night working of vessels .....	35, 46, 118
one vessel to go alongside another .....	124
passengers to land .....	74
transfer of merchandise must be noted on manifest .....	156
transport .....	51
unloading vessels in distress .....	159
weighing goods .....	60
withdrawal from bonded warehouse .....	193, 207, 208
free .....	51
from customs officer necessary to deliver specie or valuables .....	39
to be submitted to surveyor .....	51
viséed .....	170
carry arms and ammunition .....	179
discharge ballast .....	127
land equipment for repairs .....	123
transport merchandise in bond .....	123
warehouse .....	51, 120
when surrendered .....	178
Personal effects of passengers. (See Baggage.) .....	
service on captains not necessary .....	88
Persons permitted to board vessels upon arrival in port .....	65
not allowed to board vessels until master's permission is obtained .....	65
leave vessels until customs officials take charge .....	65
caught smuggling to be arrested .....	36
may be searched .....	10
Petition for extension of period for discharge .....	115
Pilots allowed to board incoming vessels .....	65
Piratical attacks, how guarded against .....	242
Places for discharge of cargo .....	116
Place of ultimate destination of goods noted in discharging book .....	51
Plantations, machinery for, how transported .....	171

Police or citizens to aid night inspectors .....	36
Policies of vessels engaged in export trade .....	147, 148
to be examined by inspector .....	148
Possession of office not given until bond accepted .....	63
Port authorities may grant permission for change of anchorage .....	80
charges .....	75
not collected from vessels in distress .....	159
marks and original marks must appear on packages for export .....	212
Ports of call to be noted in log book .....	81
must be stated in manifest .....	81
port of departure of vessels to be placed on bulletin board .....	89
from which vessel sails to be given in manifest .....	77
Post entries on manifest, when permitted .....	76
when allowed .....	222
exchanges, officers in charge of must swear to importations of .....	69
what may be imported by .....	69
Postmasters, must aid customs officers .....	144
required to protect customs revenue .....	144
to aid in collection of duties .....	141
collect customs dues, when .....	142
notify collectors of mail suspected of containing dutiable merchandise .....	142
receipt to discharging inspectors for mail .....	88
Powers of customs officials not confined to their own districts .....	7
Power to arrest .....	7, 84, 86
demand manifests .....	9
enter buildings other than dwellings .....	10
hail vessels .....	7
seal packages .....	9
search .....	7, 9, 10, 84
seizure .....	7, 10, 36, 84
stop vessels .....	7
use force .....	7
Preliminary entry of steamships making regular trips .....	117
Premises destined for warehouse, examination of .....	188
of custom-house, when used as bonded warehouse .....	184
Principal customs port .....	2, 5
Principal responsible for clerks .....	98, 97
Principals and agents, liability of .....	97
Printed matter, definition of .....	145
exempt from duty, when .....	145
in mails liable for duty .....	145
relating to lotteries, disposition of .....	146
Private duties must not be performed by inspectors on board vessels to which they are assigned .....	24
Privileges of Cuban vessels in foreign ports, how determined .....	179
Proceeds from sale of confiscated oleomargarine to be deposited in Treasury .....	71
of sale of abandoned merchandise not to be returned to owner .....	157
merchandise subject to demand of importer .....	107
cost of storage and sale to be deducted from .....	107
of public sale of goods, how accounted for .....	109
Products of Cuba, where laden for export .....	151
Productions of Cuba entered free of duty .....	161
Prohibited merchandise not to be exported .....	91

	Article.
Proof of proper payment of duties required .....	64
Property, employees in charge of, to be bonded .....	61
loss on vessels to be reported .....	163
of officers shipped on transport must be manifested .....	234
of private individuals carried on transport must be manifested .....	234
Propellers, general bond for .....	199
Proprietors of warehouses, fees allowed .....	186
Protection of customs revenue by Revenue-Cutter Service .....	243
Protests .....	235
board of appeals to consider .....	236
classification desired should be stated in .....	235
class of, not admitted for review .....	238
evidence submitted in support of .....	237
findings of, to be communicated in writing .....	241
language of .....	241
may be filed before or at time of payment of duties .....	235
must be filed in writing .....	235
give paragraph of tariff under which classification is claimed .....	238
state in detail nature of claim .....	238
not allowed for excessive sea stores .....	238
to be accompanied by samples when possible .....	241
forwarded to military governor .....	241
regulations for presentation of .....	241
right of importers to protest against valuation .....	235
rules for submitting .....	235 et seq.
Provisions on board vessels must be listed .....	80
Public notice of sale of goods not duly entered .....	107, 109
property carried on transport must be described in manifest .....	234
must be accounted for as prescribed by military governor .....	
or Secretary of War .....	14
stores, appraisals to be made at .....	135
Putting to sea without complying with regulations, penalty for .....	228

## Q.

Qualified ports of entry only may be entered by vessels .....	160
Qualifying for export trade .....	147
Quality of goods, how decided .....	134
Quantity of cigars admitted free of duty .....	122
Quarantine service may designate landing place for passengers .....	224
vigilance of vessels in .....	
Quartermasters in charge of transports .....	234
must certify to manifests delivered to collector of customs .....	234
must issue bills of lading for all transport shipments .....	234

## R.

Railroad iron, how to be weighed .....	59
may be stored in warehouses of class three .....	187
Rails, steel, how to be weighed .....	59
Rates for storage, how computed .....	186
to be paid to be decided by customs inspector of Habana .....	17
Reappraisements, proceedings for .....	186
Receipt describing goods to accompany each load for warehouse or public store .....	44



<b>Receipt for all packages to be given</b> .....	51
unshipped merchandise to be signed by storekeeper.....	29
seized goods to be sent to the surveyor.....	24
or ticket for goods sent to general order store to be attached to original entry .....	30
<b>Record book to be kept by district inspector</b> .....	25
<b>Records; collectors must forward all required reports to superior authority</b>	15
must be open to inspection at all times .....	13
of all permits for delivery of goods to be kept.....	50
principal customs officers required to keep.....	13
to be delivered to successors.....	18
of seizure of contraband vessels to be delivered to collector.....	128
<b>Refitting of wrecked vessel, procedure for</b> .....	165
<b>Refund of duty on missing packages</b> .....	173
when not to be made .....	104
<b>Registered mail, how forwarded and marked</b> .....	142
<b>Register of declarations</b> .....	112
foreign vessels to be produced.....	75
vessel to be given in manifest .....	77
<b>Registration of authorizations of clerks necessary</b> .....	98
<b>Registry of authorized clerks for customs operations</b> .....	98
<b>Regulations governing preparation of transport manifest</b> .....	234
for passengers on transport .....	234
provided for boarding and landing from vessels in port.....	65
special, for the coasting trade .....	179
violations of, to be reported to surveyor.....	25
<b>Reimportation of articles exported for repairs</b> .....	73
foreign merchandise dutiable .....	217
<b>Remains of wrecks may be exported</b> .....	164
wrecked vessels, what are so considered .....	164
<b>Remission of additional duties, how secured</b> .....	226
<b>Rent, when charged against seized goods</b> .....	185
<b>Renunciation of consignments, when to be made</b> .....	94
merchandise, meaning of .....	157
<b>Repacking of goods in bond permitted</b> .....	205
<b>Repairs, articles exported for</b> .....	78
to packages in bond permitted .....	205
<b>Reports, daily, of all importing vessels to be made to surveyor</b> .....	25
of accidents involving loss of life or property.....	163
to be made to surveyor .....	81
all broken packages to be made.....	120
all seizures and arrests to be made promptly.....	37
weighers, gaugers, or measurers on duty.....	51
appraisers made to collectors.....	133
captains of entrance through stress of weather.....	159
cases where signal lights are not displayed according to law .....	24
chief inspector of assignment of night force .....	37
negligence, absence, or misconduct.....	37
coal on vessel to be entered in report of discharging inspectors.....	51
coast inspectors to surveyor of wrecked or stranded vessels.....	32
discharging inspectors to surveyor of disobedience to orders or regulations .....	43
district inspectors of all discovered violations of laws.....	25
importing vessels arriving .....	25

	Article.
Reports of exceptional examination of goods .....	135
explosive or perishable articles to be sent to inspector .....	41
goods remaining on board after discharge period has elapsed .....	52
seized by inspectors to be sent to surveyor .....	24
lading of vessels to be made to collector by surveyor .....	23
night inspectors, when and to whom to be made .....	35
officer in charge of bonded warehouse .....	195
seals which appear to have been tampered with .....	49
sea stores to be made to discharging inspectors .....	38
seizure to be made to collector .....	10
surveyor to collector of absence or neglect of employees .....	23
all incoming vessels .....	22
weighing of cargoes to be made to collector .....	60
Reported weights of weighers not to be changed or amended .....	58
Reports, who are to render .....	5
of various kinds to be made by district inspectors .....	25
Reshipment of goods landed in error .....	123
Residence of captain or master of vessel .....	88
Resident merchants to certify invoices of goods shipped to the United States .....	15
Responsibility of appraiser .....	131
captains, when terminated .....	115
customs officers in accepting bonds .....	63
Restrictions for export of articles for repairs .....	73
of free entry to be prescribed by military governor .....	69
Revenue-Cutter Service, cruising grounds, how designated .....	243
duties of .....	243
to aid vessels in distress .....	243
arrest persons violating the laws .....	246
board and search vessels .....	244
certify manifests .....	244
enforce laws governing merchant vessels .....	243
quarantine regulations .....	243
protect commerce against pirates .....	243
wrecked property .....	243
seal hatches .....	244
officers, when placed on board vessels .....	244
Right of appeal from appraisal of wrecked merchandise .....	161
Rooms containing specie or valuables to be locked by discharging inspectors .....	39
Rowboats not allowed to go alongside vessels in port .....	65
Route manifest, when to be delivered .....	91
Rules governing transfer of merchandise .....	156
of the tariff must be applied by appraiser .....	131

## S.

Safeguarding valuable cargo, measures for .....	119
Safes containing specie or valuables to be locked by discharging inspector .....	39
Sailing without complying with regulations, penalty for .....	227
Sails may be landed for repairs under bond .....	123
Salaries of employees of warehouses paid by proprietor .....	186
Sale, expenses of, how to be paid .....	110
of goods at auction after five days' notice .....	107, 109
ship's stores prohibited .....	86
Salvors of merchandise, when considered owners .....	161

	Article.
Salvors interest in goods uncertain .....	161
may make entry of wrecked or abandoned goods .....	161
Samples of goods in bond may be taken .....	205
merchandise to be submitted .....	184
Scales, how to be adjusted .....	57
Scene of wreck to be visited by coast guard .....	168
Schedule of harbor improvement taxes .....	175, 176
Scows, general bond for .....	199
Sealed mail bags delivered to postmasters .....	140
how examined .....	140
Sealing of hatches to be done by boarding inspectors .....	81
Seals of crafts or vehicles conveying goods in bond .....	204
placed and removed .....	119
broken, to be reported to collector of customs .....	119
integrity of, to be examined .....	119
Search of vessels made by revenue officers .....	243
when notice of, must be given .....	9
may be made at any time .....	10
warrant for, how secured .....	11
may be made by masters of light-house tenders .....	34
Sea stores, protests for, not entertained .....	288
to be reported by masters to custom-house .....	88
Seaworthiness of vessels to be reported .....	163
Secretary of War may require account of public money .....	14
to be advised of misuse of American flag .....	179
Seized goods to be sent to the public stores .....	24
Seizure of merchandise brought by passengers .....	227
when it may be made .....	10
Seizures may be made by masters of light-house tenders .....	34
Separate manifest for each port .....	77
sheets of manifest to be sealed .....	77
shipments can not be consolidated in one invoice .....	103
Service of revenue cutters .....	243
on captains, how secured .....	88
may be made through consulate .....	88
Sex to be regarded in searching passengers .....	138
Shipment of goods in bond to be supervised by district inspectors .....	26
for export to be supervised by district inspectors .....	26
Ship's papers to be deposited with consul .....	75
when to be returned .....	75
stores for exclusive use of vessel .....	86
when excessive, are dutiable .....	86
not to be sold or transferred .....	86
oath of captain concerning .....	86
Shipments, separate, can not be consolidated in one invoice .....	103
Shortage in cargo, consignee responsible for .....	115
Short packages, when allowance is made for .....	174
shipments, no allowance for .....	172
Signal lights must be displayed as required by law .....	24
of vessels engaged in coasting trade .....	177
Silver dollars of the United States receivable for duties .....	99
Size of letters on oleomargarine packages .....	71
vessels that may import goods into Cuba .....	111

	Article.
Small boats approaching vessels or wharves to be watched by night inspectors .....	36
Smuggled goods, how searched for .....	11
Spaces, empty, on vessels, may be searched .....	67
Spanish copies of manifest to be delivered .....	77
fractional silver, how received for duties .....	99
Specie and valuables in charge of purser to be taken charge of by discharging inspectors .....	39
Special deputy collector, provisions for .....	20
when he may act .....	20
powers and duties of .....	20
examination of merchandise, when made .....	105
permission for night discharge of vessels .....	118
permit for vessels to remain at wharves .....	152
required for night discharge of cargo .....	46
regulations for the coasting trade .....	179
steamer lines engaged in export trade .....	149
govern discharge of regular steamships .....	117
returns of weights, when to be made .....	60, 215
rules for warehousing goods .....	184
Standard, official, of weights .....	54
Statement, false, penalty for .....	221
of abandonment, when it may be made .....	157
Steamships. (See Vessels.)	
Steel rails, how to be weighed .....	59
Storage charges must be paid by consignee .....	157
on unclaimed goods, how paid .....	110
to be entered on withdrawal permit .....	210
expenses to be charges against merchandise .....	67
of goods in bonded warehouses .....	184
on goods to be paid for by consignee .....	115
Storekeepers, book of, what to contain .....	120
duties of .....	120
goods to be received and dispatched in presence of .....	120
must receipt for goods received .....	24
to examine condition of packages .....	120
keep keys of warehouses .....	120
personally superintend opening and closing of warehouse .....	120
receive cargo of contraband vessels .....	128
packages for appraisal .....	120
report all broken packages .....	120
have charge of goods in warehouses .....	186
Stormy days deducted from period for unloading .....	125
Stranded or wrecked vessels to be in charge of coast inspector .....	32
Stress of weather, obligations and privileges conferred by .....	78
Supports, list of .....	5, 247
Substances known as oleomargarine .....	71
Substitute for register of foreign vessels .....	75
Substitution of authorizations of clerks .....	93
Supervision of appraisal .....	130
loading for export .....	151
shipments of goods for export by district inspectors .....	26
unloading vessels in distress .....	159
Supplies for United States Army, Navy, and Marine-Hospital Service .....	69

<b>Supplies for post exchanges, how admitted</b> .....	69
on board vessels are to be listed .....	80
purchased by departments of Government to be dutiable .....	70
<b>Sureties, who may be accepted as</b> .....	188
<b>Surrender of permits to engage in coasting trade</b> .....	178
<b>Surveillance, customs</b> .....	64, 66
by whom exercised .....	66
in jurisdictional waters .....	66
in ports .....	66
where exercised .....	66
<b>Surveyors, duties of</b> .....	22, 23
daily report of incoming vessels required .....	23
direct inspectors, weighers, and measurers .....	23
lading of merchandise .....	22, 23
may give permission to change returns of weights .....	58
must examine and test all weights and measures employed .....	23
place inspectors on board vessels .....	23
preserve with care all orders received from superior authority .....	23
report to collector any disagreement between delivery of merchandise and landing permit .....	23
outdoor executive officer of the port .....	22
report each week to collector all negligent or absent employees .....	23
report incoming vessels to the collector .....	22
required to sign the discharge book .....	50
should visit or inspect vessels arriving in his port .....	23
supervise discharge of cargoes .....	22, 23
other employees .....	22, 23
take charge of all incoming vessels .....	22, 23
to examine log book and compare with manifest .....	81
examine whether goods imported and deliveries thereof correspond .....	23
furnish certificates of weight .....	60
prescribe regulations for discharge of merchandise .....	118
send inspector of customs to wrecked or stranded vessel when necessary .....	33
<b>Suine to be branded as oleomargarine</b> .....	71
<b>Suspected frauds</b> .....	64
procedure for .....	188
loss of vessel to be reported .....	163
persons should be examined in presence of another person .....	36
<b>Supervision of weighing by weighers</b> .....	53
<b>Sworn declaration for supplies for post exchanges</b> .....	68

## T.

<b>Tallow, extracts of, to be branded as oleomargarine</b> .....	71
<b>Testimony heard by judges</b> .....	221
taken to determine classification of goods .....	137
<b>Testing of weights and implements</b> .....	
<b>Tickets on unshipped merchandise to be signed by storekeepers</b> .....	29
<b>Ticket or receipt for goods sent to general-order store to be attached to original entry</b> .....	30
<b>Time for discharging vessels limited</b> .....	52

	Article.
Vessels, when residence of captain .....	88
may be boarded, where .....	9
who may board incoming .....	65
wrecked or stranded, to be in charge of coast inspector .....	33
Veterinarian of port, duties of .....	121
Vigilance of vessels in quarantine .....	85
Vinous liquors for post exchanges not free .....	69
Violation of law, arrest for .....	246
revenue laws to be reported to the surveyor .....	25

## W.

Warehouse, goods in, when to be sold .....	109
permits .....	51
to be entered in the discharging book .....	51
Warehouses, three classes of .....	184
Warehousing goods, rules for .....	184
Waters, jurisdictional, of Cuba .....	64
Weight, average, of steel rails, how to be secured .....	59
Weighers to keep beam clean .....	57
to see that their weights agree with official standard .....	54
assigned to duty by surveyor .....	53
duties of, described .....	53-60
to weigh steel rails or railroad iron, how .....	59
must have beam accurately balanced .....	57
mark weight of each single package .....	57
not change returns of weights .....	58
report misconduct or neglect to surveyor .....	53
test scales frequently .....	57
not to allow others to take weights .....	53
absent themselves from duty without permission .....	53
required to have weights and implements tested .....	54
inspect and take copies of all permits calling for goods to be weighed .....	53
responsible for fidelity of assistant weighers .....	53
supervise weighing of all merchandise .....	53
to be at their assigned places .....	53
furnished with blank dock books .....	55
copy permits in dock book .....	55
file completed book of weights .....	56
keep a separate book for each cargo .....	56
make daily entry of goods weighed .....	55
special returns of weight of articles on each permit .....	56
special returns when so ordered .....	60
take weight on rising beam .....	57
when permitted to accept invoice weight .....	59
when required to make returns .....	60
Weight of merchandise to be given in manifest .....	77
packages to be given in manifests .....	77
recorded .....	120
to be taken on rising beam .....	57
Weights and measures to be compared with standards .....	23
when tested .....	23
implements to be tested .....	54

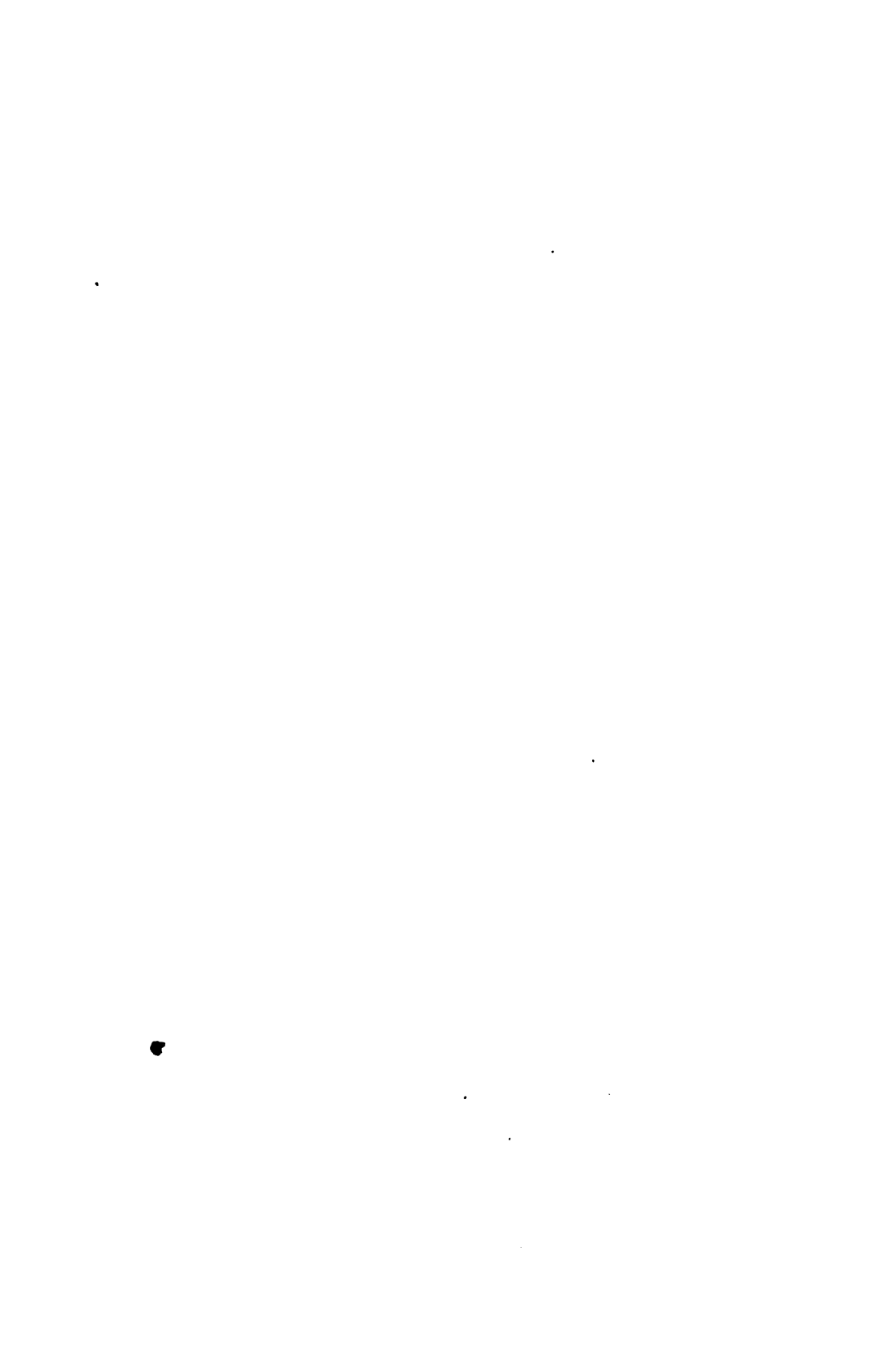
	Article.
Weights, special, returns of, when required.....	215
Wharves, persons excluded from, when goods are appraised .....	73
to be guarded by night inspectors.....	35
When district inspectors are to take charge of lading vessels.....	25
Windows of warehouses, how protected.....	186
Wine casks in bond may be refilled.....	206
Withdrawal from bonded warehouse.....	196
of bonded goods for exportation.....	211
permits for consumption .....	208
Wood may be stored in warehouses of class three.....	187
Work on holidays, when permitted.....	152
Working days for discharge of vessels, how computed....	125
Wrecked merchandise must be appraised.....	161
procedure for .....	162
salvors' interest in uncertain .....	161
property protected by Revenue-Cutter Service .....	242
vessels to be guarded by coast inspectors.....	33
Wrecks, remains of, may be exported.....	164
to be visited by coast guard .....	163
Written authorization of clerks of consignees.....	98

## Y.

Yachts not liable for tonnage taxes.....	176
Yards, when used as warehouses.....	184, 187

## O







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from a foreign country, which are addressed to persons residing within the delivery of the post-office at the port of entry at which they are first received, and the postmaster at the said office at which they are received has reason to believe they contain articles liable to customs duties, he shall immediately notify the customs officer of the district in which his office is located, or the customs officer designated for the purpose of examining the mails arriving from foreign countries, of the receipt of such letters or packages, and their several addresses, and if any letter or package of this character be addressed to a person residing within the delivery of his office the postmaster shall also, at the time of its arrival, notify the addressee thereof that such letter or package has been received and is believed to contain articles liable to customs duties, and that he must appear at the post-office at the time designated in said notice and receive and open said letter or package in the presence of an officer of the customs.

ART. 142. Letters, all registered mail and sealed packages, or packages the wrappers of which can not be removed without destroying them, which are supposed to contain articles liable to customs duties, and which are addressed to persons residing outside of the delivery of the post-office at the port of entry where they were first received from abroad, shall be forwarded to their respective destinations and marked "Supposed liable to customs duties," and upon their receipt at the offices of destination the postmasters thereof shall notify the nearest customs officer and the parties addressed in the same manner and to the same effect as provided for in the preceding article. If a reply is not received from the customs officer within twenty days from the date of said notice, the package may be delivered to the addressee without regard to the stamp "Supposed liable to customs duties." But if the customs officer should request the postmaster to allow the package to be opened in his presence by the addressee, the postmaster shall comply with said request and immediately report the nature and probable value of the contents to the customs officer (retaining the package in his possession), whereupon the customs officer shall inform the postmaster of the amount of the customs charges due upon said package, which amount the postmaster shall collect upon the final delivery of the package and transmit, under official registration, to the customs officer. If, however, the customs officer shall deem it inexpedient to determine, upon the postmaster's report, the customs charges upon any such package, it may be sent, at his request and under official registration, to the postmaster at the place at which the customs officer is located, in whose custody it may be examined and the duty thereon computed by the customs officer, after which it shall be returned to the postmaster at the office of destination for delivery to the addressee upon payment of the duty thus assessed.

Nothing herein shall authorize custom officers to seize any letter or sealed package while in the custody of the postmaster, nor until after

its delivery to the addressee. And no letter or sealed package shall be detained at the office of delivery longer than may be necessary for the appearance of a customs officer and of the addressee.

ART. 143. Unsealed packages received in the mails from foreign countries (except registered articles which are to be treated as if sealed), which contain articles liable to customs duties, shall be delivered by the postmaster at the office of receipt to the officer of the customs for the collection of the duties chargeable thereon, with notice of such delivery to the person addressed.

ART. 144. Postmasters are expected to extend to customs officers, specially designated for that duty, such facilities as may be necessary to enable them to examine mail matter arriving in the mails from foreign countries, in order to protect the customs revenue.

ART. 145. Printed matter imported through the mails is liable to duty, except periodicals in pamphlet form and newspapers; the expression "printed matter" being defined by the statute as including the production upon paper by any process except that of handwriting, of any words, letters, characters, figures, or images, or of any combination thereof, not having the character of an actual personal correspondence.

ART. 146. All lottery tickets and printed matter relating to lotteries found by an officer of customs designated to inspect supposed dutiable matter shall be returned by said officer to the postmaster for disposition in accordance with the orders of the military governor.

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## CHAPTER XI.

### EXPORTATIONS.

ART. 147. Captains desiring to qualify their vessels for the exportation of merchandise shall present to the collector of customs an application therefor in due form.

The exporter shall present to the collector of customs a policy in duplicate, containing the following items:

1. Name, tonnage, nationality, and captain of the exporting vessel.
2. Port or ports of destination.
3. Name of shipper or shippers.
4. Number of packages, class, marks, numbers, and gross weight.
5. The class of merchandise in detail, specifying whether it is domestic or foreign.
6. Person or persons to whom consigned.

ART. 148. Upon receiving the policies the collector shall place upon the original policy an order permitting the lading of the merchandise to be exported, after proper examination by the inspector designated for that purpose.

The inspector designated shall make the examination, entering the

result on the original policies, signing the same, and returning them to the collector.

ART. 149. The collectors of customs shall make a preliminary examination of all the manifests of merchandise to be exported, and when these are found to be incorrect or incomplete, either in the description of the articles or through omission of the corresponding amounts or values, or through any other error which should appear on the manifest, they shall demand their correction before permitting their exportation. In the case of lines of steamers which sail under special regulations, in order to avoid delays and to facilitate generally their operations, the collectors of customs shall take care that the manifests of the cargo received by such vessels are deposited in the custom-house within four days after the clearance of the vessel.

ART. 150. The countries specified must be, as far as possible, those for which the exported goods are destined, and not those for which the exporting vessels are cleared from their respective ports, if the last country of destination should be different from that for which the vessel has been cleared. Exporters shall be required to state in their policies the country of final destination.

ART. 151. Collectors of customs may authorize the lading of products of the island of Cuba from any point or estate where they may be situated.

When this authorization is granted, the exportation will be completed by the captain and shippers presenting all the documents required by the preceding articles.

The supervision of the lading may be made by a customs employé or inspector expressly detailed for the purpose by the collector of customs, all expenses incurred being charged to the account of the shipper.

When the lading is completed, the collector of customs may require the vessel to put into the port where the custom-house is located in order to verify the lading in the form which he may deem best.

ART. 152. When a steamer sailing on a fixed schedule is to remain but a few hours in port the operations of exportation will be permitted to be prepared before its arrival, loading the cargo from lighters, in which it shall have been previously placed, and working at night and on holidays, if it should be necessary, at the expense of the vessel and with the authorization of the collector; but in no case will any merchandise be permitted to remain on the wharves at night, except by special permit.

ART. 153. When a captain has completed the lading of his vessel and desires to sail, he shall notify the collector of customs to this effect, presenting a manifest in duplicate of the entire cargo, and signing the corresponding oath. The collector shall certify the duplicate manifest, one copy of which shall remain in the custom-house, the original being delivered to the captain of the vessel.

The captain will then receive a certificate to the effect that he has been completely cleared by the custom-house.

## CHAPTER XII.

## TRANSITS AND TRANSSHIPMENTS.

ART. 154. The word *transit* shall be understood to mean the passing of foreign merchandise touching at ports of the island (but without being discharged) without the payment of duties.

The transit of merchandise touching in ports of Cuba, but without entering into its territory, will be permitted under the following conditions:

1. The captain shall state in his manifest the packages carried in transit in the same form specified for those which he brings for immediate unloading.

2. The point to which the merchandise is consigned shall not be the same from which it was shipped nor any of those at which the vessel has previously touched in the same voyage.

These vessels shall be kept under the supervision of customs inspectors during their stay in port.

ART. 155. If any vessel arrives in port carrying merchandise in transit for ports in Cuba, and the captain makes application to land merchandise for foreign ports, carrying a manifest, the collector of customs shall note in the manifest the general class of such domestic merchandise, and the number of the policy corresponding to their shipment, in order that their origin may be verified in the other ports in which the vessel enters.

ART. 156. The transshipment of merchandise, i. e., the transfer of the same from one vessel to another of the same line, will be permitted, provided such merchandise has been manifested by the captain as in transit for foreign ports, subject to the following rules:

1. The consignee shall make application for permission to make such transshipment, directed to the collector of customs, in writing, within twenty-four hours after the admission of the manifest. In this application he shall state the name of the vessel bringing such merchandise, the paragraphs of the manifest in which the same appears, and the name of the vessel which is to receive it.

The application shall be in duplicate and in regular form, and shall be noted in a special record, with the following headings:

- (a) Number of the petition, placed at the head of the same.
- (b) Date of the petition.
- (c) Number of the manifest.
- (d) Name of vessel bringing the merchandise.
- (e) Name of the vessel receiving the same.
- (f) Name of the shipper.
- (g) Point of destination.

2. The collector of customs will issue the permit, if expedient, directing the surveyor of the port to superintend the transfer of the merchandise and to have the packages verified under the supervision

of the customs inspectors. The number of the permit shall be noted in the margin of the corresponding paragraph of the manifest.

3. The packages shall be checked off with the papers of the vessel and the bills of lading, in order to verify their agreement with the manifest and with the application for transshipment.

4. The transfer itself shall be made, either from vessel to vessel, placing them side by side, or by the use of lighters, which shall, whenever deemed necessary, be accompanied by customs inspectors.

5. When the transfer has been completed the surveyor shall certify to the same on the application for the transfer, upon which the captain of the receiving vessel shall also certify to their receipt. The original of this application shall be filed in the custom-house, and the copy authorized by the collector of customs shall be delivered to the captain of the receiving vessel.

If the transfer is made to vessels which are to touch at ports of the island and then proceed to foreign ports with the transshipped merchandise, the fact that such merchandise is in transit for foreign ports must be stated in the general manifest.

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## CHAPTER XIII.

### ABANDONMENT OF MERCHANDISE.

ART. 157. By abandonment of merchandise is meant the renunciation by the consignee of his property.

In the case of abandoned goods no part of the proceeds of sale shall be returned to the owner of the merchandise.

The abandonment is *expressed* when it is made by the interested party in writing, directed to the collector of customs.

The abandonment is *implied* when it so appears from the actions of the interested party which leave no room for doubt, such as in the following cases:

1. When on the presentation of the manifest by the captain the identity of the party designated by him as consignee can not be ascertained, or he has died without having left anyone to take his place, or renounces the designation, and neither the consul of the nation of the shipper or the merchant named will admit the consignment.

2. When the periods allowed by these regulations for storage or for entry for bonded warehouse have expired, and the notices required by the regulations have been given to the consignee and the latter fails to appear.

3. When, after the consignee has made his entry and the same has been accepted by the collector, he or his properly authorized representative fails to appear within ninety days to claim the goods and pay the corresponding duties thereon.

4. When passengers bringing concealed merchandise do not pay the



penalties imposed upon them according to section 2 of article 226 of these regulations within three days after the final decision of the collector of customs. In all such cases the collector shall first decide whether the provisions of article 227 apply.

5. When the duties have been paid and the interested party fails to remove his merchandise from the custom-house within ninety days after the payment thereof.

6. In any other case, not herein provided for, in which the intention of the owner may be as clearly inferred as in the six preceding.

Whenever the interested party appears within the periods prescribed in this article there shall be no occasion for the declaration of abandonment, but he shall be required to pay the corresponding duties, storage charges, and all other expenses which have been incurred by the merchandise.

The explicit statement of abandonment may be made at any time from the moment of the presentation of the entry until immediately before making the payment of the duties, and the interested party is thereupon relieved from the payment of the same.

ART. 158. In order that the merchandise may be considered abandoned, the same must be declared as such, in writing, by the collector of customs.

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## CHAPTER XIV.

### ENTRANCE OF VESSELS THROUGH STRESS OF WEATHER.

ART. 159. Whenever a vessel from a foreign port is compelled by stress of weather or other necessity to put into any other port than that of her destination, the master, together with the person next in command, within twenty-four hours after arrival, shall make protest in the usual form, upon oath before a duly authorized person, setting forth the causes or circumstances of such necessity. This protest, if not made before the collector, must be produced to him and the naval officer and a copy thereof lodged with them.

The master of such vessel shall make report to the collector within forty-eight hours after arrival, and if it appears to the collector, by the certificate of the surveyor of the port, or, if there be no such officer, by the certificate of two reputable merchants, to be named by the collector, that it is necessary to unlade the vessel, the collector shall grant a permit and detail an inspector to supervise the unloading; and the merchandise so unladen shall be stored under custody of the collector.

At the request of the master of the vessel, or of the owner thereof, the collector shall grant permission to enter and pay the duties on and dispose of such part of the cargo as may be of a perishable nature as may be necessary to defray the expenses attending the vessel.

And if the delivery of the cargo do not agree with the master's report, and the difference be not satisfactorily explained, the master shall become subject to the penalties provided in the case of ordinary importations.

The cargo, or the residue thereof, may be reladen on board the vessel, under the inspection of an officer, and the vessel may proceed with the same to her destination, subject only to the charge for storing and safe-keeping of the merchandise and the fees for entrance and clearance.

No port charges shall be collected on vessels entering through stress of weather or other causes above described.

ART. 160. The voluntary entrance of vessels proceeding from foreign ports will not be permitted at any port, beach, or anchorage which is not qualified as a port of entry.

## CHAPTER XV.

### DERELICT AND WRECKED MERCHANDISE

ART. 161. Merchandise picked up at sea, derelict, or taken from a wreck is *prima facie* dutiable. If claimed to be of Cuban production, and consequently free, proof must be adduced as in ordinary cases of the reimportation of merchandise. Foreign merchandise landed from a vessel in distress is dutiable if sold or disposed of in the island of Cuba.

Before any merchandise which has been taken from a recent wreck shall be admitted to entry the same shall be appraised, and the owner or importer shall have the same right of appeal as in other cases.

No part of a Cuban vessel, nor any of her equipments, wrecked either in Cuban or foreign waters is to be regarded as "goods, wares, or merchandise."

All merchandise picked up at sea, derelict, or recovered from abandoned wrecks shall be taken possession of in the port or district where it shall first arrive and be retained in the custody of the collector as unclaimed. If not claimed and entered by the owner on due proof of ownership, by the underwriters in case of abandonment to them, or by the salvors in the absence of adverse claims, it will be subject to sale for duties in the usual manner. Salvors have an uncertain interest in the goods saved, dependent upon the decree of a competent tribunal, and also have a presumptive right to possession of merchandise saved by them from abandoned wrecks. The collector will therefore permit salvors to make entry of derelict or wrecked goods in either contingency. If the merchandise be libeled for salvage, the collector shall notify the salvors of the claim of the island of Cuba for duties and will intervene for the same. When such goods are brought into

port by lighters or other craft, each such vessel must make entry by manifest of her cargo.

ART. 162. When vessels are wrecked in the waters of Cuba, application should be made to the collector of customs by the original owners or consignees of the cargo, or by the underwriters, in case of abandonment to them, for permission to forward the goods saved from the wreck to the ports of destination in other conveyances, without entry at the custom-house in the district in which the merchandise was cast ashore or unladen. On receipt of such permission the merchandise may be so forwarded, with particular manifests thereof, duly certified by the customs officer in charge of the goods.

ART. 163. Whenever any vessel of Cuba has sustained or caused any accident involving loss of life, material loss of property, or serious injury to any person, or has received any damage affecting her seaworthiness or her efficiency, the managing owner, agent, or master of such vessel shall, within five days, send, by letter to the collector of the district wherein such vessel belongs, or of that within which such accident or damage occurred, a report thereof, signed by such owner, agent, or master, stating the name of the vessel, the port to which she belongs, the place where she was, the nature and probable occasion of the casualty, the number and names of those lost, and the estimated amount of loss or damage to the vessel or cargo; and shall furnish such other information as may be called for; and if he neglects to comply with the foregoing requirements after a reasonable time, he shall incur a penalty of \$100. And whenever the managing owner or agent of any vessel of Cuba has reason to apprehend that such vessel has been lost he shall promptly send notice in writing to the collector of the port to which said vessel belonged of such loss and the probable occasion thereof, stating the name of the vessel and the names of all persons on board, so far as the same can be ascertained, and shall furnish, upon request of the collector, such additional information as shall be required; and if he neglect to comply with the above requirements within a reasonable time, he shall incur a penalty of \$100.

If there should be no custom-house at the point where the vessel is wrecked, the coast guard or customs official nearest the scene of the wreck shall render all possible aid in saving the crew and cargo of the vessel, taking charge of the merchandise saved and giving immediate notice to the nearest custom-house.

In order to prevent any attempt to defraud the revenue, the collector shall be represented at the saving of the cargo by customs inspectors detailed for that purpose, who shall examine and countersign the inventory made of such cargo, receiving an authorized copy of the same and the key to the warehouses in which the goods are stored.

If the merchandise saved is not damaged, and the interested parties should make application for their appraisal, they shall send a declara-

tion of the same, in duplicate, to the custom-house; and the proper examination and dispatch shall take place in the regular form established by these regulations.

The same proceeding shall be followed if it should be decided to enter a part of the merchandise for bonded warehouse.

ART. 164. If the owner of the vessel wishes to export the remains of the wreck, he will be permitted to do so upon proper examination and inspection.

The remains of a wrecked vessel shall be considered to be not only the hull and rigging of the same, but also all ships' stores and articles of equipment, such as sails, ropes, chains, anchors, etc.

ART. 165. If it is desired to refit the vessel for navigation, the following proceedings shall be had:

1. The owner of the vessel, if the same has not been sold, or the person acquiring it in the event of its sale, shall give official notice, in writing, to the collector of customs.

2. When the vessel is ready to sail, the interested party shall inform the collector of customs, stating whether he wishes to reexport the vessel or have it placed under the provisional coasting flag of Cuba.

3. In the latter case the collector shall order its appraisal and measurement made in proper legal form.

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## CHAPTER XVI.

### COASTWISE TRADE.

ART. 166. The coastwise trade, in so far as it affects the customs, shall be considered that which is carried on directly by sea between ports of entry in the island of Cuba.

The coastwise trade can be exercised only by Cuban vessels or those of the United States in so far as it refers to the transportation of merchandise.

Any vessel which, having been cleared coastwise, touches a foreign port shall be considered as of foreign origin, as also shall be its cargo, unless the entry at such foreign port has been by stress of weather or other necessity, and has been so established by the captain before the consul of a friendly nation, or, in the absence of such, before the local authority, in which case a careful examination shall be made to ascertain if the cargo which it carries is the same which it laded at the port from which it was originally cleared.

Notwithstanding the provisions of the second paragraph of this article foreign vessels will be permitted to engage in the coasting trade, when, in urgent cases, the public convenience requires the granting of such permission, and then only upon due authorization by the collector of customs for Cuba.

ART. 167. When a captain wishes to lade merchandise for coastwise transportation he shall present to the collector an application for permission to do so, after receiving which he may receive cargo.

ART. 168. The clearance of coastwise vessels carrying national merchandise, or foreign merchandise which has been nationalized through the payment of import duties, shall be effected after presentation to the collector of customs at the port of clearance of a manifest in duplicate, one of which, after being certified, shall be returned to the captain or master of the vessel. Upon acceptance of the manifest the collector shall issue the necessary clearance permit.

ART. 169. The unloading of merchandise arriving at a port from another one in the island of Cuba shall be made according to the following rules:

1. The captain, as soon as he comes to anchor, shall present to the custom-house the sworn manifest of all such cargo carried by his vessel.

2. The collector shall then order the discharge and inspection of the cargo by the customs inspectors.

3. At the termination of the discharge the manifest shall be filed in the custom-house, after being certified to by the inspectors.

ART. 170. Collectors of customs may permit coasting vessels to proceed to any point on the coast and lade national products and transport them to other points on the island upon application therefor.

Upon the arrival of the vessel at the port of lading the permit shall be viséed by the customs inspector, if any, detailed to this point, or sent there for this especial purpose, noting on the permit the day of arrival of the vessel.

A manifest of such lading shall be made by the captain or master of the vessel and be certified by the customs inspector, or, in his absence, by the local authority.

Vessels under 20 tons' register used in the transportation of vegetables and fruits from one point or port of entry in the island to another shall be free from the formalities specified in this chapter, and they shall only be required to apply for a pass from the custom-house or local authority, as the case may be, and to submit to such examination as the customs inspectors may deem necessary in order to prevent fraud.

ART. 171. The customs houses may also issue permits for the transportation in lighters and other boats of light tonnage to plantations on the coast of machinery, tools, and supplies. In such cases the manifests shall be authorized at the custom-house at the port of sailing and viséed by the customs officer on detail at the point of destination, or, in his absence, by the local authority.

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## CHAPTER XVII.

### ALLOWANCES FOR DAMAGE OR SHORT SHIPMENTS.

ART. 172. No allowance shall be made in the estimation of duty for lost or missing packages appearing on the manifest, bill of lading, or

invoice, unless shown, by proof satisfactory to the collector, not to have been originally laden on board or to have been destroyed by accident during the voyage.

ART. 173. If such missing package should be found later, or should be returned by the same vessel, or other vessel of the same line, with sufficient proof that such missing package was carried away by error, the entry covering such missing package shall be forwarded to the appraisers' division for the proper appraisal of the goods.

When in such cases duties have been paid on packages which, according to the official reports of the surveyor, have not been landed within three months from the date of the entry of the vessel on whose manifest such packages originally appeared, and the absence of such packages be satisfactorily accounted for, the duty collected upon such packages shall be refunded to the importer.

ART. 174. Whenever the appraiser reports a deficiency in the contents of a package as called for by the invoice, no allowance shall be made unless evidence satisfactory to the collector shall be produced that said shortage occurred before the arrival of the merchandise in this country, the burden of proof in such cases resting upon the importer; but no claim for damage occurring before arrival can be entertained except in case of imported animals satisfactorily explained to the collector. Dead animals upon which duty has been abated must be removed as ordered by the collector at the expense of the importer.

## CHAPTER XVIII.

### TONNAGE AND HARBOR-IMPROVEMENT TAXES.

ART. 175. The harbor-improvement taxes at all ports of entry in Cuba shall be levied as follows:

Each steamer entering.....	\$3.50
Each sailing vessel entering.....	4.25
Each ton of cargo landed from a steamer.....	.25
Each ton of cargo landed from a sailing vessel.....	.125
Each ton of coal landed from a steamer.....	.125
Each ton of coal landed from a sailing vessel.....	.10

ART. 176. At all ports or places in Cuba there shall be levied the following tonnage dues:

(a) On entry of a vessel from a port or place not in Cuba, per net ton, 20 cents.

(b) On entry of a vessel from another port or place in Cuba, engaged at the time of entry in the coasting trade of Cuba, per net ton, 2 cents

(c) The rate of tonnage dues on a vessel which enters in ballast shall be one-half of the rate imposed by subdivision (a) or (b), and one-half the tonnage dues imposed on a vessel entering with cargo shall be refunded if the vessel clears in ballast.

But to a vessel entered from a port not in Cuba such refund shall not be made unless the collector at the port of such entry shall receive satisfactory evidence that the vessel has not been cleared within two months from the date of such entry from any port in Cuba with cargo for a foreign port.

If such vessel has been so cleared without actually engaging in the coastwise trade after her foreign entry on the same voyage, any tax levied on her coastwise entries between the dates of her foreign entry and foreign clearance may be refunded.

(d) The tonnage tax on entries of a vessel from a port or place not in Cuba shall not exceed in the aggregate \$2 per net ton in any one year, beginning from the date of the first payment.

The tonnage tax on entries of a vessel from other ports or places in Cuba shall not exceed forty cents per net ton in any one year, beginning from the date of the first payment.

(e) The following shall be exempt from tonnage dues:

A vessel belonging to or employed in the service of the Government of the United States; a vessel of a neutral foreign government not engaged in trade; a vessel in distress; or a yacht belonging to an organized yacht club of the United States or of a neutral foreign nation.

(f) The tonnage of a vessel shall be the net or register tonnage expressed in her national certificate of registry.

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## CHAPTER XIX.

### COASTING TRADE OF CUBA.

ART. 177. (a) Vessels of the United States may engage in the coasting trade of the island of Cuba.

(b) The collector of customs at any port in the island of Cuba is empowered to issue a permit to a resident of Cuba who owns a vessel, which shall entitle such vessel to engage in the coasting trade of the island: *Provided further*, That the owner and master (except in case of citizens of the United States) of such vessel shall, upon oath before such collector, entirely renounce and abjure all allegiance and fidelity to any foreign prince, state, or sovereignty whatever.

(c) These permits shall first be approved by the military governor of the island, and afterwards countersigned by the collector of customs issuing the same.

(d) Vessels entitled under these regulations to engage in the coasting trade of Cuba shall carry a distinctive signal, which shall be a blue flag, and the union of the flag shall be a white field.

ART. 178. The permit authorizing a vessel to engage in the coasting trade of Cuba shall be surrendered without willful or unnecessary delay to the collector of the nearest customs port or of the port of

first arrival after the transaction, under the several conditions or circumstances as follows:

First. When the captain or master or the managing owner is changed.

Second. When the vessel is sold in part or in whole.

Third. When she is burned, wrecked, or lost in any manner.

Fourth. When she is altered in form or burden, or changed from one denomination to another.

Fifth. When the permit, because of time limitation, has expired.

If the master neglects to surrender the permit under the conditions enumerated, he shall forfeit \$100 and the permit shall become null and void. Whenever a permit is surrendered, except in case of a total loss of the vessel, the collector, if at the home port, shall renew the document, but if at a port other than that to which the vessel belongs, the collector shall issue a temporary permit until she arrives at her home port.

*Provided, however,* That the loss, destruction, or disappearance of a permit may be established by the oath of the master or other person having charge of the vessel, the same being duly made before the collector of the port of first arrival.

*And provided further,* On proof that any vessel has been sold or transferred by process of law, and that her permit is held by the former owner or owners, the collector of the district to which the vessel belongs may grant a new permit, with the approval of the military governor of the island of Cuba.

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## CHAPTER XX.

### SPECIAL REGULATIONS FOR COASTING TRADE.

ART. 179. Officers of the customs in the island of Cuba may authorize the clearance under a permit for foreign ports or ports of the United States of vessels owned by residents of Cuba, and owned at the time of clearance by citizens of Cuba, under the distinctive signal and coasting permit of Cuba. Such vessels may fly the American flag above the distinctive signal solely for the purpose of indicating that the Government of the United States, pursuant to treaty, has assumed and will discharge the obligations that may under international law result from the fact of the occupation of Cuba for the protection of life and property.

In granting such clearance under a permit collectors of customs shall advise masters or owners that the clearance under permit and the use of the flag of the United States hereby authorized do not confer upon such vessels any rights or privileges which are conferred upon vessels of the United States by the statutes or treaties of the United States.

The rights and privileges of such a vessel as to entry, clearance,



dues, charges, etc., in foreign ports and in ports of the United States shall be determined by the laws of the country in which the port may be situated.

Such vessels upon entry into a port of the United States shall be subject to the provisions of section 2497 of the Revised Statutes and such other laws as may be applicable.

The form and manner of the issue of permits provided for in this article shall be as follows:

1. Each permit for the clearance to a foreign port or port of the United States of a vessel owned by a citizen of Cuba shall be signed by the general commanding the United States forces in Cuba.

2. Each such permit shall also be signed by the collector of customs at the port of Cuba from which the vessel seeks clearance.

3. The collector of customs shall retain a duplicate of each such permit issued.

4. Previous to the issue of the permit the owner and master shall give a bond in the sum of \$10 per gross ton, with security satisfactory to the collector of customs, that for the period of one year such vessel shall engage only in legitimate trade and use the flag of the United States only for the purpose set forth in the executive orders and regulations on the subject, and shall, together with the owner and master, comply with all the executive orders and regulations now established, or which may hereafter be established, relating at any time to said vessel.

5. The collector of customs shall not issue such permit until he is satisfied by inspection that said vessel is about to engage in legitimate trade, and he may direct any examination of the owner, master, crew, passengers, cargo, or vessel which he may deem necessary for the purpose.

6. The permit for clearance provided by these regulations shall not authorize the vessel to carry arms or ammunition unless the general commanding the forces of the United States in Cuba shall, in his discretion, give a written permit for the transportation of a stated amount of arms and ammunition for a specific purpose on a specific voyage.

7. The collector of customs in issuing such permit shall notify the master that he may fly the American flag above the distinctive signal for the coasting trade of Cuba, solely for the purpose of indicating that the Government of the United States, pursuant to treaty, has assumed and will discharge the obligations that may, under international law, result from the fact of the occupation of Cuba for the protection of life and property of Cubans. He shall also advise the master that the clearance under permit and the use of the flag hereby authorized do not confer upon this vessel any rights or privileges which are conferred upon vessels of the United States by the statutes or treaties of the United States, but that the rights and privileges of the vessel in foreign ports and in the United States will be determined by the laws of the country of the port.

8. The master of the vessel upon receiving the permit shall place it with his Cuban coasting permit, and upon arriving in a foreign port shall promptly deposit both with the consul of the United States at that port, or if there be none, then with the consul of a friendly nation. If the laws of the port require that the ship's papers be deposited with the local officer of customs, the master shall so deposit both permits, promptly advising the consul of his action. Before clearance the consul shall return to the master the permits, or cause them to be returned, as the registers of American vessels are returned in foreign ports. In ports of the United States the permits shall be deposited with and returned by the collector of customs.

9. The master of the vessel upon returning to a port in Cuba shall surrender the permit to the collector at the port of entry, who shall make such examination as he may deem necessary to satisfy himself that the permit and the flag of the United States have been used only for the purposes prescribed, and if satisfied he shall cancel the permit and return it to the collector of customs who issued it, to be filed. If upon such examination the collector is not satisfied that the permit and the flag have been used only for the purpose prescribed, he shall detain the vessel, and report as soon as practicable to the general commanding the forces of the United States in Cuba.

10. For any misuse of the American flag or of the permit authorized by this order the general commanding the forces of the United States in Cuba may, in his discretion, impose a penalty not exceeding \$10 per gross ton on the vessel, or may institute proceedings for the forfeiture of the bond above provided, or may seize the vessel and report the facts to the Secretary of War for his action.

ART. 180. It shall be the duty of every captain of a vessel engaged in the foreign and coastwise trade, under the special regulations therefor, to provide himself with a certificate, on which certificate every payment for foreign tonnage dues shall be noted officially by the respective cashiers of the custom-houses in the island.

ART. 181. It shall be the privilege of every captain of a vessel engaged in the foreign and coastwise trade under the special regulations above given to pay in advance, every three months, at the home port in Cuba, the maximum proportionate tonnage dues under these regulations, and the certificate of the respective collectors of customs shall be accepted as proof of such payment.

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## CHAPTER XXI.

### INTERIOR CIRCULATION.

ART. 182. The circulation of merchandise—that is, their transportation from one point of the island to another, without putting to sea, shall be free of duty.

ART. 183. Customs inspectors, in cases of suspected fraud, are authorized to detain merchandise and have it conducted to the nearest custom-house, until their legitimate importation has been proved.

## CHAPTER XXII.

### SPECIAL RULES FOR THE WAREHOUSING OF IMPORTED GOODS AND FOR THEIR TRANSPORTATION IN BOND.

ART. 184. Warehouses duly authorized for the storage of imported dutiable goods shall be known and designated as of classes one, two, and three.

Where there is available space in the premises used as custom-houses, such space may be set apart for the storage of imported goods in bond, and the premises are to be known as warehouses of class one.

Other premises used for the general storage of imported goods are to be known and designated as warehouses of class two.

Yards used for the storage of heavy or bulky articles are to be known and designated as warehouses of class three.

#### WAREHOUSES OF CLASS ONE.

ART. 185. At ports where there are Government stores, preference shall be given them for the storage of seized goods, and also of unclaimed goods if there is sufficient space for their accommodation. Unclaimed and seized goods may also be deposited, by order of the collector or acting collector, in warehouses of class two. Where there are no class two warehouses, the collector may procure suitable premises for the temporary storage of unclaimed or seized goods; but in all cases the rent and other attendant expenses must be charged against the goods.

#### WAREHOUSES OF CLASS TWO.

ART. 186. Where it is not practicable to bond the entire building, the first or ground floor of the premises may be bonded as a warehouse of class two, provided all interior means of communication between such first or ground floor and the remainder of the premises are removed and there are no other means of entrance or exit to the bonded portion except those upon a street or other public thoroughfare. The general storage of imported merchandise may be allowed in warehouses of class two upon the order of the collector of customs.

The rates of storage and compensation for labor in the handling of bonded goods will be as agreed upon between the owner or importer of the goods and the proprietor of the warehouse, who shall receive the amount due for storage and labor, the collector looking to the safe

custody of the goods only for the security of the revenue. The proprietor of the warehouse shall not be allowed to make charges for storage, labor, or other expenses in excess of the regular rates prevailing at the port; and in instances where disputes arise with reference to such charges the collector of customs shall determine the question whether or not the charges are excessive. No goods shall be delivered from bonded warehouses without payment of the proper charges thereon. A storekeeper shall be appointed to have immediate charge of the receipt and delivery of goods at any warehouse.

The bonded warehouses must, in addition to the locks of the proprietors, have placed thereon customs locks, the keys of which are to remain in the custody of the storekeeper assigned to the premises by the collector or acting collector.

Proprietors of bonded warehouses shall be required to pay monthly to the collector of customs a sum equal to the salary of the officers assigned to the premises as storekeepers, and to provide at all times suitable accommodations for such storekeepers in the warehouses.

The windows of the bonded warehouses, unless protected by iron bars, must be provided with substantial shutters capable of being securely closed on the inside of the premises.

#### WAREHOUSES OF CLASS THREE.

ART. 187. Warehouses of class three are to be used exclusively for the storage of wood, coal, mahogany, lumber; railroad, pig, and bar iron, and other heavy or bulky articles. Yards inclosed by substantial fences not less than ten feet in height, with gates opening into a street or public thoroughfare, may be bonded as warehouses of this class.

Unclaimed and seized merchandise of a heavy or bulky character may be stored in warehouses of this class under the same regulations and conditions as are provided for the deposit of unclaimed or seized goods in warehouses of class two.

#### APPLICATIONS FOR ESTABLISHMENT OF BONDED WAREHOUSES.

ART. 188. Applications for the establishment of bonded warehouses of either of the classes hereinbefore mentioned must be made in writing to the collector of customs, describing the premises, the location and capacity of the same, and the purpose for which the building is to be used.

Upon receipt of such application the collector shall cause an examination of the premises to be made, with reference particularly to its location, construction, or occupation, and means provided for the safe-keeping of merchandise. If such examination is satisfactory, the collector shall report all the facts in the case, with his recommendations, to the chief of the customs service; if the latter approves the estab-

lishment of the bonded warehouse, the person or persons making the application should be notified by the collector to enter into bond, in duplicate, in such penalty as may be ordered by the chief of the customs service, to protect the interests of the revenue. Not less than two individuals should be accepted as sureties, and they should each be required to file with the bond, in addition to their oaths as sureties, a statement showing real estate or other property owned by them the value of which shall be at least equal to the amount specified in their oaths as sureties. Duly incorporated guarantee or security companies may be accepted as sureties whenever the collector shall be satisfied as to their sufficiency.

The bonds should be executed before the collector, and, if approved by him, one copy of each bond should be retained by him on file, and he will notify the owner or occupant of the premises of the establishment of the warehouse.

The form of the bond to be given on the establishment of bonded warehouses shall be prescribed by the chief of the customs service, with the approval of the military governor.

#### GENERAL PROVISIONS.

**ART. 189.** The collector of customs should promptly notify the military governor of the death, pecuniary embarrassment, or insolvency of any of the parties to a bond or warehouse, or of any circumstances which make it advisable to require new bonds.

New bonds must in all cases be given when a warehouse passes into the hands of new principals, or where changes take place in partnerships.

**ART. 190.** Alterations in bonded warehouses can be made only by permission of the collector, and if such alterations constitute a material change in the premises new bonds should be required.

It is the duty of the collector to notify the military governor of all changes in the surroundings of bonded premises likely to affect their security. If burned or otherwise destroyed, immediate notice with full particulars should be given, and if rebuilt the premises can not be used as a bonded warehouse until bonded anew.

**ART. 191.** Proprietors or occupants of bonded warehouses shall be required, on ten day's notice from the collector, to renew their bonds, and if they fail to do so no merchandise should be sent to their warehouse, and that stored in the premises should be at the expense of the proprietors or occupants.

**ART. 192.** Warehouses may be discontinued by the collector at any time upon written request to that effect from the proprietors or occupants of the premises, provided all the requirements of these regulations have been complied with on the part of the principals. In instances where dutiable merchandise is stored in the premises, the

same must be removed at the risk and expense of the proprietors, and the premises should not be surrendered nor discontinuance authorized until after a careful examination of the accounts of the warehouse and a comparison thereof with the books of the custom-house.

ART. 193. The period which shall be allowed for the storage of bonded goods shall be one year from date of importation, but this period may be extended by the chief of the customs service, with the approval of the military governor, to two years when satisfactory reasons are shown for such extension.

Bonded goods remaining in warehouse for more than three years from the date of original importation are held to be abandoned to the Government and liable to sale.

All duty-paid merchandise which remains in bonded warehouse more than three years from the date of importation shall hereafter be treated as abandoned merchandise and sold, under the regulations heretofore provided, unless the owners thereof shall surrender to the storekeeper in charge of the goods the withdrawal permits duly stamped for delivery. Upon the surrender of such permits the storekeeper shall notify the warehouse proprietor of the delivery of the goods by the Government, and report the fact upon the back of the permit and return the same to the collector.

No application for any casualty damage occurring after the expiration of three years from date of importation will be entertained.

ART. 194. The entry of goods for warehousing shall be in duplicate, in the form prescribed by the chief of the customs service, and verified by oath or affirmation, as in the entry of merchandise for consumption, and shall be made within forty-eight hours from the admission of the manifest.

The dutiable value of each package must be stated on this entry when the invoice will permit this being done.

Any portion of an invoice, not less than an entire package, or, if the merchandise be in bulk, not less than one ton in weight, may be entered for warehousing, and the remainder for consumption, or for warehouse and transportation in bond. In such instances, however, the entries must be made simultaneously and the oaths or affirmations altered to correspond.

ART. 195. All package goods, including distilled spirits in casks, must be sent to and received in the warehouse by the shipping marks and numbers; and if imported without numbers, they are required to be numbered consecutively from one upward. Such goods should be gauged, weighed, and in all respects dealt with by such numbers. The collector should also, at the expense of the owners of the goods, cause each package, when received in warehouse, to be marked with the year and month when received, the name of the vessel in which it was imported, and of the place whence shipped, such marking to be done under the supervision of the storekeeper, and the

necessary labor to be furnished by the proprietor of the warehouse as a charge on the goods.

The shipping marks, numbers, and identification as above must be entered on books to be kept and on reports to be made by the officer in charge in his daily returns to the collector's office. They shall then be entered in the general warehouse books at the custom-house, and the numbers therein given will be the designating numbers on all permits for withdrawal.

The entry for warehousing having been examined by the collector, and the duty estimated thereon, the collector shall take a bond from the importer, with satisfactory security, in double the amount of such estimated duties, in the form prescribed by the chief of the customs service approved by the military governor.

ART. 196. No partial withdrawal of merchandise from bonded warehouse shall be allowed in less quantities than an entire package, or, if in bulk, of less than one ton.

ART. 197. Original importers are not by any subsequent transfers relieved either personally or upon the warehousing bond from their liability for duties. Both principal and sureties continue liable until the duties are paid or the merchandise exported.

ART. 198. The importer of record may transfer to any other person the right to any merchandise under bond, which shall be done in writing upon the face of the withdrawal.

Delivery of goods may be made to \_\_\_\_\_.  
(Signed)

\_\_\_\_\_,  
\_\_\_\_\_.  
\_\_\_\_\_,  
*Importer.*

The bond having been executed, the collector shall issue a permit to send the goods to the warehouse named in the entry, with the exception of such as may be designated for examination. This permit shall be addressed to the inspector or other customs officer who supervises the unloading of the merchandise from the importing vessel, and shall be in the following form:

PERMIT TO SEND GOODS TO WAREHOUSE.

CUSTOMS HOUSE, \_\_\_\_\_,  
Collector's Office, \_\_\_\_\_, 19—.

To the inspector at \_\_\_\_\_:

You are hereby directed to send to the bonded warehouse, No. \_\_\_\_\_, \_\_\_\_\_ street (here describe the merchandise), imported on the \_\_\_\_\_ of \_\_\_\_\_ by \_\_\_\_\_ in the \_\_\_\_\_, \_\_\_\_\_ master, from \_\_\_\_\_.

\_\_\_\_\_,  
*Collector.*

When goods are sent from an importing vessel or car to a warehouse, or from one vessel or conveyance to another, or from warehouse to vessel or car, as well as unclaimed merchandise, and all packages

ordered for examination, they must be delivered to cartmen or draymen, or lightermen appointed by the collector, and after such cartmen, draymen, or lightermen have given bond in a sum not less than \$5,000, with two sureties, conditioned for the faithful performance of their duty as draymen, cartmen, or lightermen.

This bond shall be in the form prescribed by the chief of the customs service after approval by the military governor.

ART. 199. Any person, firm, or corporation owning one or more lighters, barges, scows, propellers, drays, or carts, may, upon producing evidence of good character to the collector, be appointed by him; and in instances where a general bond is advisable, such bond may be executed covering all of the wagons, lighters, drays, carts, etc., owned or managed by the person or persons giving the bond, which should be in an amount to be designated by the collector.

ART. 200. Perishable goods, gunpowder, or other dangerous or explosive substances, except firecrackers, can not be deposited in warehouse; and if not immediately entered for export or transportation from the vessel in which imported or entered for consumption, and the duties paid thereon, shall be sold by the collector under the regulations governing unclaimed merchandise of a perishable nature.

ART. 201. On the arrival of goods destined for another port, an entry for warehousing and transportation in bond must be combined, in the form prescribed by the chief of the customs service, with approval of the military governor.

This entry should be in triplicate, and one of the copies should be forwarded immediately by mail to the chief customs officer at the place of destination of the merchandise. With the entry must be filed a bond in an amount equal to double the duties chargeable on the goods. The bond should be in the form prescribed by the chief of the customs service, with approval of the military governor.

The arrival of goods at destination shall be reported by the common carrier to the collector, who shall require the owner of the merchandise, or his duly accredited representative, to make entry thereof, either for consumption or for warehouse; and the chief customs officer, in his treatment of the goods, shall be governed by the instructions hereinbefore given for the guidance of officers at ports of original importation.

#### TRANSPORTATION IN BOND.

ART. 202. Common carriers, such as railroad or other transportation companies, in order to convey dutiable merchandise in bond from the port of importation to other ports, must give security in the nature of a general transportation bond in such penalty as may be directed by the collector, with at least two good and sufficient sureties, to be approved by him, conditioned that the principals shall transport and deliver to the collector of customs at the port to which



the merchandise may be consigned all goods in bond delivered to such carrier, such transportation and delivery to be made without delay. Application to bond routes for the purpose indicated should be made to the collector of customs. If the application to bond is approved, the common carrier should be required to enter into bond in a penalty not less than \$20,000, and in the form prescribed by the chief of the customs service, with approval of the military governor.

ART. 203. When merchandise is forwarded from the port of importation separate manifests, in triplicate, should be prepared for each vessel, car, or other vehicle used for the purpose, signed by the agent of the vessel, railroad, or other company by which the transportation is made, and certified and delivered by the inspector. Each manifest should contain a description of the merchandise, by marks, numbers, and contents, the route, conveyance, port of destination, names of shipper and consignee. The manifest should be in the form prescribed by the chief of the customs service, with the approval of the military governor.

The officer in charge of the lading should see that manifests are furnished for each car or vessel or conveyance, as herein required, and he should certify on the manifest to the lading of the goods, giving the number of the car or name and description of the vessel. One of the manifests should be delivered to the conductor of the car or the master of the vessel, and the other two should be returned to the custom-house without unnecessary delay.

The collector should transmit one copy of the manifest by first mail to the chief customs officer of the port of destination.

ART. 204. Upon the arrival of the car or vessel or other conveyance at the port of destination examination should be made of the fastenings of the vehicle or craft for the purpose of ascertaining whether or not they have been tampered with. If such fastenings are not intact, or the collector has reason to suspect fraudulent attempts, he should take possession of the vehicle or craft and its contents and report the facts to the chief of the customs service. If there is no evidence that fraud has been attempted the seals should be removed by the customs officer and entry of the goods allowed as hereinbefore provided for.

ART. 205. Merchandise in bonded warehouse may be examined at any time during the business hours of the port by the importer, consignee, or agent, who may take samples of his goods in reasonable quantities, according to the usage of the port, make all needful repairs of packages, and repack the goods if necessary for their safety or preservation, provided when the original contents are placed in the new packages they shall be marked and numbered as before.

ART. 206. Casks containing wines liable to sour may be refilled when necessary for preservation, but the wine used for such refilling must be part of the same importation and must have been withdrawn for consumption with payment of duties.

ART. 207. No samples shall be taken nor any goods exhibited or examined without a permit from the collector and under the supervision of an officer of customs, nor unless by request of the importer, owner, or consignee; nor shall any package be repaired nor goods repacked without a permit, to be granted only when necessary for the safety or preservation of the contents. Goods imported in bulk and not in present danger of deterioration can not be placed in packages while in warehouse.

ART. 208. No merchandise shall be removed from a bonded warehouse unless upon a duly signed permit containing the designation of said warehouse, the date of the receipt of the merchandise therein, and the word "deliver" and date thereof, certified by the person in charge of the storage books at the custom-house.

#### WITHDRAWALS AT ORIGINAL PORTS FOR CONSUMPTION.

ART. 209. A withdrawal for consumption must be made out in the form to be prescribed by the chief of the customs service, and must be signed by the importer or by a party authorized by him. If by the latter, the original importer must place upon the withdrawal his written authority for the substitution. No oath or declaration is required for withdrawals from bond.

ART. 210. On presentation of this withdrawal at the collector's office it shall be compared with the record of the bond upon the warehouse ledger, and if they agree the items shall be entered therein, with the amount of duty thereon. The collector shall fill out a permit for delivery on the following form:

#### WITHDRAWAL PERMIT FOR DELIVERY.

Bond No. —.

PORT OF ———, ———,  
Custom-House, ———, 19—.

*To the Storekeeper:*

Duties having been paid, you will deliver to ——— the merchandise described per entry as follows: ———, and which was imported into this district ———, 19—, by ———, master, from ———.

—————,  
*Collector.*

The officer in charge of the warehouse division shall make upon the permit a statement of storage and labor charges due upon the packages withdrawn from warehouses, class one. After the duties and charges have been paid to the cashier of the custom-house the permit shall be signed by the collector and returned to the importer or his representative for presentation to the storekeeper at the bonded warehouse, who will thereupon deliver the merchandise.

ART. 211. All permits received for the delivery of packages from bonded warehouses shall be entered upon the warehouse books and returned by the storekeeper thereof to the custom-house, stamped

with date of delivery, and due note thereof shall be made upon the storekeeper's record.

**WITHDRAWAL AT ORIGINAL PORTS FOR EXPORTATION.**

**ART. 212.** The withdrawal of goods from warehouse for exportation at the port of original importation shall be made in the following form:

**EXPORT WITHDRAWAL AT PORT OF ORIGINAL IMPORTATION.**

**Bond No. —.**

Merchandise intended to be withdrawn from warehouse by \_\_\_\_\_, and to be exported by him in the \_\_\_\_\_, \_\_\_\_\_, master, for \_\_\_\_\_, which was imported into this district by \_\_\_\_\_, \_\_\_\_\_ master, from \_\_\_\_\_, on the \_\_\_\_\_ day of \_\_\_\_\_, 19—.

\_\_\_\_\_ ,  
\_\_\_\_\_

**ART. 213.** If exported by other than the original importer, the same authority shall be required as in case of withdrawal for consumption. The export shall be made under the original mark of importation. Additional port marks may be made by authority of the collector and under the supervision of a customs officer, but both the original and the port mark shall appear in all papers pertaining to the exportation.

The withdrawal shall be verified in the following form:

**DECLARATION ON EXPORT WITHDRAWAL.**

I, \_\_\_\_\_, do solemnly, sincerely, and truly declare that the goods, wares, and merchandise described in the within withdrawal, now delivered by me to the collector of customs for the port of \_\_\_\_\_, are truly intended to be exported by me to the port of \_\_\_\_\_, as stated in said entry, and by the vessel (or route) therein indicated, and are not intended to be relanded or consumed within the limits of Cuba; and that, to the best of my knowledge and belief, the said goods, wares, and merchandise are the same in quality, quantity, value, and package (wastage and damage excepted) as at the time of importation.

          ,  
          

          ,  
Exporter.

Declared this \_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, before me.

\_\_\_\_\_,  
Collector.

ART. 214. The withdrawal having been duly entered in the warehouse accounts, the exporter shall give bond, with satisfactory security, in a penal sum equal to double the amount of the estimated duties on the goods, to produce the proof required by law of the landing of the same beyond the limits of Cuba, which bond shall be in the following form:

## EXPORT BOND.

Know all men by these presents, that we, ——— ———, as principals, and ——— ———, as sureties, are held and firmly bound unto the Government of the

island of Cuba in the sum of ——— dollars, for the payment whereof to the Government of the island of Cuba we bind ourselves, our heirs, executors, administrators, successors, and assigns, jointly and severally, firmly by these presents.

Witness our hands and seals, at the port of ———, this ——— day of ———.

Whereas the following described merchandise, having been heretofore duly imported into Cuba and entered for warehousing in bond, and having been so warehoused at the above-named port according to law, hath been this day entered for withdrawal and exportation in bond, viz (here describe the merchandise by marks, numbers, description, and number of packages, with their contents), which said merchandise is also described in an export entry of this date, numbered ———, and is to be exported in the (ship or other vessel, describing the same), known as the (here insert the name of the vessel), whereof ——— is at present master, now lying in the above-named port, and bound for the port of ———; and whereas it is intended that the said merchandise shall be exported as aforesaid, under and by virtue of the several regulations of the island of Cuba relating to the exportation of imported goods, without the payment of duties thereon:

Now, therefore, the condition of this obligation is such that if the aforesaid merchandise shall in good faith be actually exported and landed abroad according to the true intent and meaning of these presents, and shall not, nor any part thereof, be relanded at any port or place within the limits of Cuba, and if the certificates and other proofs required by the law and regulations of the island of Cuba, showing the delivery of the same at the said port of destination or at any other port or place without the limits of Cuba, shall be produced and deposited with the collector of customs for the time being at the said port of withdrawal within ——— from the date hereof, then this obligation to be void; otherwise to remain in full force and virtue.

—————. [SEAL.]  
 —————. [SEAL.]  
 —————. [SEAL.]

Sealed and delivered in the presence of:

—————.  
 —————.

ART. 215. The bond having been duly executed, a permit shall be issued directing the storekeeper to deliver the goods to the surveyor, which permit shall be as follows:

#### EXPORT DELIVERY PERMIT.

PORT OF ———,  
 Custom-House, ———,

To the storekeeper at ———:

You will deliver to the surveyor of the port for exportation by ——— to ——— (here describe the merchandise), imported into this district on the ——— by ———, in the ———, ———, master, from ———.

Collector.

ART. 216. The withdrawal shall be transmitted to the proper officer with directions to cause the merchandise described therein to be laden for exportation, indicating such as is to be weighed, measured, or gauged, which directions shall be as follows:

PORT OF ———,  
 Custom-House, ———, 19 —.

To the shipping officer:

You will examine the goods described in the accompanying withdrawal, and, if found to agree exactly therewith, to superintend the lading thereof on board

the ———, for exportation to ———, of which, when completed, you will make due return.

—————,  
Collector.

A special return of the weight, gauge, or measure of the merchandise must, when required, be made to the collector.

The export bond will be canceled upon the presentation of a certificate of a collector of customs that the merchandise has been duly landed at port of destination.

ART. 217. Foreign merchandise once imported and afterwards exported is dutiable upon every subsequent importation into Cuba, except as otherwise specially provided for.

ART. 218. Entries of merchandise covered by any one invoice may be made simultaneously for both consumption and warehouse. Where an intent to export the merchandise is shown by the bill of lading and invoice, the whole or the part of an invoice not less than one package may be entered for "warehouse and immediate export." In this case the collector may designate the vessel in which the merchandise is laden as constructively "a warehouse," in order to facilitate the direct transfer of the goods to the exporting vessel. The same procedure may apply to goods entered for "warehouse and immediate transportation."

ART. 219. Any goods, wares, or merchandise in bond or under general order which shall be withdrawn therefrom shall be subject to the rates of duty in force at the time of such withdrawal.

ART. 220. All blanks or forms used in the entry or withdrawal of goods in bond shall be furnished at the cost of the interested parties.

## CHAPTER XXIII.

### PENAL PROVISIONS AND ADDITIONAL DUTIES.

#### CLASSIFICATION OF PENAL ACTS AND CUSTOMS PROCEEDINGS.

ART. 221. Persons committing any of the offenses mentioned in the following articles shall be liable to the following penalties named therefor:

\* 1. If any importer, owner or consignee, agent, or other person shall make or attempt to make any entry of imported merchandise by means of any fraudulent or false invoice, affidavit, letter, paper, or by means of any false statement, written or verbal, or by means of any false or fraudulent practice or appliance whatsoever, or shall be guilty of any wilful act or omission by means whereof the Government of the island of Cuba shall be deprived of the lawful duties, or any portion thereof,

\* President's order, Circular No. 31, Division of Customs and Insular Affairs, August 24, 1899.

accruing upon the merchandise, or any portion thereof, embraced or referred to in such invoice, affidavit, letter, paper, or statement, or affected by such act or omission, such merchandise, or the value thereof to be recovered from the person making the entry, shall be forfeited, which forfeiture shall only apply to the whole of the merchandise or the value thereof in the case or package containing the particular article or articles of merchandise to which such fraud or false paper or statement relates.

And such person shall, upon conviction, be fined for each offense a sum not exceeding \$5,000 or be imprisoned for a time not exceeding two years, or both, in the discretion of the court.

2. Every person who willfully conceals or destroys any invoice, book, or paper relating to any merchandise liable to duty which has been or may be imported into the island of Cuba from any foreign port or country, after an inspection thereof has been demanded by the collector of any collection district, or at any time conceals or destroys any such invoice, book, or paper for the purpose of suppressing any evidence of fraud therein contained, shall be punished by a fine of not more than \$5,000 or by imprisonment of not more than two years, or both.

3. That judges of the First Instance and Instruction shall have, and hereby are given, jurisdiction and authority to take cognizance of the offenses herein enumerated, and hear testimony and make investigations as is now provided by law in other offenses; and if they shall determine from the evidence presented that there is probable cause to believe that the party accused is guilty of the offenses charged against him they shall admit such person to bail, or, in default of good and sufficient bail, commit him to jail to await the action of the criminal court having jurisdiction of the matter, as hereinafter provided.

*Provided*, That the offense shall have been committed in any part of the province in which the judicial district of the judge is located, or

That the accused shall have been apprehended in any part of the province in which the judicial district of the judge is located, although the offense may have been committed elsewhere, or

That the accused shall have been apprehended out of the island of Cuba and brought into the province in which the judicial district of the judge is located, without respect to where the offense may have been committed.

4. The criminal courts ("Audiencias de lo Criminal") shall have jurisdiction in all cases herein set forth when the offense shall have been committed in the district in which the court now has jurisdiction, by law of criminal jurisdiction, or without reference to where the offense shall have been committed, if the accused shall have been apprehended in said district, or if the accused shall have been brought into said district, provided he shall have been apprehended out of the island of Cuba.

5. All laws and parts of laws heretofore and ~~now existing in the~~ island of Cuba which are inconsistent with the ~~provisions of this~~ article as to their application hereto are hereby declared to be null and void.

ART. 222. If any merchandise be found on board any vessel which is not included in her manifest, produced as required by these regulations, the captain shall forfeit an amount equal to the value of such merchandise not manifested, and all such merchandise belonging to or consigned to the officers or crew of the vessel shall be forfeited. These forfeitures shall not be incurred, however, if it shall be made to appear to the principal customs officer of the port that the errors and omissions in the manifest were made without intention of fraud or collusion. In such case the master may be allowed to correct the manifest by a post entry. Should any package or article named on the manifest be missing on the arrival of the vessel, or if the merchandise on board does not otherwise agree with the manifest delivered by the master, except as above prescribed, the master shall be liable to a penalty not to exceed \$500, in the discretion of the collector; but if it is made to appear to the satisfaction of the principal customs officer of the port that no part whatever of the merchandise on such vessel has been unshipped, landed, or unladen since it was taken on board, except as specified in the manifest, and pursuant to permits, or that the disagreement is by accident or mistake, in such case the penalty shall not be inflicted.

ART. 223. No merchandise shall be brought into Cuba, under penalty of forfeiture, from foreign ports in vessels of less than thirty tons gross capacity.

ART. 224. Captains of vessels proceeding from foreign ports are liable to the penalties prescribed in the following cases:

1. For failing to have the manifest of the vessel or other documents in order on entering a port, the captain shall be liable to a fine of from \$50 to \$250.

If the captain, on his arrival in port, fails to present said manifest to the boarding officer, he shall be liable to a fine of from \$100 to \$500.

2. If the manifest lacks any of the requisites set forth in article 77, he shall be liable to a fine of from \$10 to \$100.

3. For failing to present the required copies of the manifest or other papers required, or in the failure of these to conform to the originals, he shall be liable to a fine of from \$10 to \$50, and he shall be obliged to produce the missing documents or rewrite the incorrect ones, as the case may be.

4. For failure to present at the custom-houses of ports entered the general manifest of goods in transit, he will pay a fine of from \$10 to \$50, and he shall be held responsible for the presentation of the copy of the general manifest which the custom-house of the port in transit shall request from the custom-house of the port of origin.

5. For all differences, in excess of twenty-five per cent of the actual weight, resulting in the gross weight of the packages declared in the manifest, which shall serve as the basis for the assessment of duties, the captain shall be liable to a fine of from \$10 to \$50.

6. For changing anchorage in port without the permission of the custom-house the captain shall pay a fine of \$50.

7. For failure to present the log book and other papers on request of the boarding inspector on board of the vessel, he shall pay a fine of \$50, and he shall not be permitted to clear until he has produced the said documents.

8. For failure to present, immediately upon arrival at port, the statement of passengers and the number of pieces of baggage brought by each, he shall be liable to a fine of from \$10 to \$100.

9. For all provisions and supplies not contained in the note of provisions, he shall pay double duties.

10. When the straps or seals placed on the hatches and bulkheads of the vessel are found raised or broken, except in cases of accident, the captain shall pay a fine not to exceed \$500, without prejudice to his liability to such other penalties thus incurred. (See article 119.)

11. If the straps or seals placed on the packages on board are found broken, the captain shall be liable to a fine of from \$10 to \$50 for each strap or seal so broken, and shall be subject to such other penalties as may have been incurred.

12. For removing from the vessel without the permission of the custom-house any packages which are contained in the manifest, he shall pay an amount equal to double the value of the merchandise.

13. For disembarking persons or discharging goods at points different from those designated by the authorities, in the event of a vessel being ordered into quarantine, the captain shall pay a fine of \$100 in the case of passengers, or double the value of the goods in the case of merchandise.

14. For failing to state in the manifest the increased tonnage of a vessel through being lengthened at a foreign port, or for omitting to note in said document the repairs made and the materials employed in the same, the captain shall be liable to pay double duties assessable on said repairs.

ART. 225. Penalties shall also be incurred in the following cases and amounts:

1. When smaller boats engaged in the discharge of vessels come alongside of vessels other than the one that they are discharging, or delay in transit, or make landing at a point different from that designated for the discharge, the captain of such boat shall pay a fine of from \$5 to \$10, without prejudice to the responsibility of said captain or other persons, to such penalties as may be incurred for other misdemeanors connected with the above.

ART. 226. The consignees of merchandise shall be subject to pen-



ties or additional duties in the amounts and in the cases hereinafter expressed:

1. Merchandise of prohibited importation, whether declared as legal or not, shall be seized and confiscated.

2. If the appraised value of any merchandise shall exceed the declared value thereof, there shall be collected, in addition to the regular duties imposed by law on such merchandise, a further sum equal to one per cent of the total appraised value for each one per cent that such appraised value exceeds the declared value; and if such appraised value shall exceed the declared value by more than fifty per cent, except when arising from a manifest clerical error, the entry shall be held to be presumptively fraudulent, and the goods shall be seized and forfeited to the Government.

3. If the declared weight of merchandise shall be exceeded by the actual weight by a difference of from one to fifteen per cent (both inclusive) of the total weight of the goods, additional duties may be imposed, in the discretion of the collector of customs, they not to exceed one per cent of the total duties on the merchandise for each one per cent of difference between the declared and actual weights. Such additional duties will not be imposed by the collector of customs in cases wherein he is satisfied that the difference occurred in good faith.

When this difference exceeds fifteen per cent of the total weight of the merchandise, but does not exceed fifty per cent of said total weight, one per cent additional duties shall be imposed for each one per cent of difference between the declared and actual weights.

When this difference exceeds fifty per cent of the total weight of the merchandise, the declaration shall be held to be presumptively fraudulent, and the merchandise shall be seized and forfeited to the Government.

4. In all cases of additional duties, mandatory or discretionary, actually imposed, there shall be no remission thereof except with the written approval of the chief of the customs service at Habana, to whom an appeal in writing can be made, whose decision in the matter shall be final.

5. Firearms, gunpowder, cartridges, dynamite, and all classes of explosives and munitions of war found maliciously concealed on board of any vessel, or not contained in the manifest, shall be seized, and the captain shall be liable to a fine not exceeding two thousand dollars.

6. For failure to pay the amount of the liquidated duties within three working days after public note of its liquidation has been given at the custom-house, the consignee will pay five per cent surtax on the amount constituting the debit.

This penalty is independent of the amount to be imposed according to article 115 of these regulations, for storage dues for the period of time the merchandise has remained in the custom-house after the prescribed number of days from the date of discharge.

ART. 227. Merchandise brought by passengers shall be liable to seizure when the same is found concealed on their persons, or otherwise, with evident intent to defraud the customs.

ART. 228. Those persons exporting national products by sea shall be liable to penalties in the following amounts and cases:

1. For embarkation at ports of entry of any merchandise without the permission of the custom-house, they shall pay from one to ten dollars fine, in the judgment of the collector of customs; and if the shipment has been made at a port which is not a port of entry, they shall pay a fine of from fifty to one hundred dollars, and the vessel shall be obliged to provide itself with the necessary documents for the cargo on board, at the nearest custom-house.

2. When captains of vessels put to sea without having first complied with all the requisites and formalities established in these regulations they shall be liable to a fine of fifty dollars, which shall be levied upon their consignees, who are held subsidiarily responsible for the fines and duties payable by captains.

ART. 229. In entrances and clearances in the coasting trade between ports of Cuba the following penalties shall be incurred in the amounts and cases hereinafter expressed:

1. For shipping any merchandise coastwise, without a permit from the custom-house or other qualified authority, the skipper shall be liable to a fine equal to the value of the merchandise.

2. When foreign merchandise is found on board of a vessel, without the necessary documents corresponding thereto, the captain shall be liable to pay double the amount of the duties for which they are liable in each case.

3. When foreign merchandise is found on board of a vessel without the necessary documents corresponding thereto, if the same be free of duty, the captain shall be liable to a fine of from \$5 to \$50.

4. For failing to give notice of the arrival of his vessel, although in ballast, to the collector at the port of entry the captain shall be liable to a fine of from \$5 to \$50.

The captain or consignee, as the case may be, shall be liable to the same penalty without prejudice to their liability to such other penalties as may be applicable under these regulations for the mere act of unlading merchandise of any kind at a port which is not an authorized port of entry.

ART. 230. In the transshipment of merchandise the parties engaged therein shall be liable to penalties in the following amounts and cases:

1. For transferring dutiable merchandise from one vessel to another without the permission of the customs officials the captain shall pay double the amount of the duties corresponding thereto under the tariff.

2. For the same offence, in the case of national merchandise free of duty and any other charge, both the captain delivering and receiving

the same shall be liable to a fine of from \$10 to \$50 in the discretion of the collector of customs.

3. For differences in packages or in merchandise in bulk which are found not manifested during the operation of transshipment, see article 156.

4. When smaller boats engaged in carrying merchandise in packages or in bulk to be transshipped lay alongside of a vessel or place other than that to which the said merchandise is destined, see article 156.

ART. 231. The consignees of merchandise to be deposited in bonded warehouse who fail to present the corresponding declarations within the prescribed period of time must enter the same for immediate consumption.

ART. 232. Any person or persons not employés of the Cuban customs service who shall wear the uniform of that service shall be liable to a penalty of \$100 upon conviction by a correctional court.

ART. 233. No fine or penalty prescribed in these regulations shall be considered to exempt the parties so fined from such other legal proceedings as are provided for in these regulations.

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## CHAPTER XXIV.

### UNITED STATES ARMY-TRANSPORT SERVICE.

ART. 234. All transports arriving from the United States at any of the ports of the island of Cuba shall comply with the following rules and regulations in regard to their passengers and cargo:

First. The personal baggage of all enlisted men and officers of the United States Army, containing articles solely for the use of themselves or their families in reasonable quantities, to be determined by the collector, shall be admitted free of duty.

The personal baggage of all civilians carried as passengers upon United States transports shall be subject to the rules and regulations governing passengers landing from foreign countries.

Second. It shall be the duty of the quartermaster in charge of any United States transport to present to the custom-house at the port of entry a manifest in duplicate containing, specified separately, first, all merchandise on board of said transport which is public property of the United States; second, merchandise for charitable purposes; third, all property of civilian employés of the Government; fourth, all property of officers and enlisted men serving in Cuba; fifth, all property of private individuals.

Third. It is further the duty of the quartermaster to issue to each of the above-named parties a bill of lading covering all such merchandise.

Fourth. Upon arrival of the transport at any port in Cuba from a foreign country it shall be the duty of the quartermaster in charge of said transport to deliver to the collector of customs such manifest,

duly certified by himself to be correct, which manifest, if merchandise on board be consigned to several ports of the island, shall be returned to the quartermaster containing the certification that all goods belonging to that port have been unladed in conformity, and the quartermaster shall deliver the manifest to the collector of customs at any subsequent port for which the transport carries freight from the United States.

## CHAPTER XXV.

### PROTESTS.

ART. 235. Importers who are dissatisfied with the valuation or classification of merchandise as fixed by the collector of the port shall pay the duties imposed, but may file before or at the time of payment, and not later, a written protest and appeal, stating briefly the value or classification which it is claimed should have been established.

ART. 236. The board of appeals, Cuban customs service, appointed by the collector of customs for Cuba, and consisting of not more than five nor less than three members, shall consider such protests against the classification of merchandise and assessment of duty as may be forwarded to it by the chief of the customs service. A majority of the board shall constitute a quorum for the transaction of business. Protests shall be prepared and submitted in accordance with the rules hereinafter given.

ART. 237. The board shall give opportunity to each protestant to present evidence in support of their claims, and shall direct the production before it of such other evidence as may be deemed relevant to the case.

ART. 238. The board shall keep a full record of its proceedings, and shall submit in writing its findings in the case of each protest to the chief of the customs service for action by him. All protests must state in detail the nature of the claim and the paragraph of the tariff under which classification is claimed. Irrelevant and prolix protests or protests that fail to point out distinctly and specifically the precise objection of the person protesting in respect to each entry or paragraph of an entry, his reasons therefor, and protests which do not cite paragraphs of the tariff, will not be entertained, nor will any protest be entertained on excessive sea stores.

ART. 239. The parties making protests are therefore particularly cautioned that they must present to the board of appeals all documents upon which they rely for the support of their claims. All opinions of the board of appeals should be governed by the vote of a majority of the members of the board.

ART. 240. Whenever a case before the board of appeals has been heard, a vote thereon shall be taken, which shall be final and conclusive, unless before the end of the session a majority of the board shall vote to reconsider the same.

**ART. 241.** The following shall be the regulations for the preparation and presentation of all protests:

All protests shall be addressed to the collector, containing name of vessel, number of entry, number of carta de pago, number of the manifest, number of the liquidation, name of the appraiser making the appraisal, and the address of the protestant.

All protests must be accompanied by samples whenever possible, which samples shall be identified by the signature of the appraiser, the number of the entry, and the name of the protestant.

Protests must be written in English or Spanish, and must be perfectly legible; without which necessary requisite they will not be accepted.

The decision of the protests will be communicated to the protestant in writing, and all information in relation thereto will be furnished and received by the secretary of the board of appeals.

In conformity with the provisions of these regulations, no protest against the assessment of duties shall be received unless presented in writing by the importer before or at the time of the payment of duties.

All protests that have been acted upon by the board of appeals will, together with the action of the collector of customs for Cuba, be forwarded to the military governor for final decision.

**ART. 242.** Protests against the decisions of collectors of subports shall be prepared as above, directed and transmitted by such collectors to the collector of customs for Cuba.

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## CHAPTER XXVI.

### REVENUE-CUTTER SERVICE.

**ART. 243.** The duties of the revenue-cutter service shall be the protection of the customs revenue, the assistance of vessels in distress, the enforcement of the neutrality laws, of laws pertaining to quarantine, of the laws governing merchant vessels, the protection of merchant vessels from piratical attacks, the protection of wrecked property, and such service as may be specially directed by the collector of customs for Cuba.

The cruising ground of revenue vessels shall be designated from time to time by the collector of customs for Cuba.

**ART. 244.** It shall be the duty of officers of revenue vessels, whenever possible, to board vessels arriving within the waters of the island of Cuba or within four leagues of the coast thereof if bound for Cuba, to search and examine the same, to demand, receive, and certify the manifests required of them by law, to seal the hatches and other communications with the cargo, and, where necessary, to place an officer on board to remain until arrival at the port of destination.

ART. 245. Particular watchfulness shall be observed with respect to vessels destined for ports above the entrances of rivers or other waterways whose shores may afford opportunities for smuggling.

ART. 246. Officers of revenue vessels shall arrest persons found violating the laws by breaking bulk or landing any part of the cargo of a vessel not in distress or under unavoidable necessity, before a custom-house permit has been obtained.

## CHAPTER XXVII.

### CUSTOMS DISTRICTS.

ART. 247. The coast line of the island of Cuba shall be divided into fourteen customs districts, as follows:

*Habana.*—From junction of Habana and Matanzas provinces, on north coast, westward around Cape Antonio to junction Matanzas, Santa Clara, and Habana provinces, on the south coast.

Subport of Batabanó and Nueva Gerona, on the Isle of Pines, included herein.

*Matanzas.*—From junction of Habana and Matanzas provinces, on north coast, to Cabo Hicacos.

*Cárdenas.*—From Cabo Hicacos to junction of Matanzas and Santa Clara provinces, on north coast.

*Sagua.*—From junction of Matanzas and Santa Clara provinces, on north coast, to Río Sagua la Chica.

*Caibarien.*—From Río Sagua la Chica to junction of Santa Clara and Puerto Príncipe provinces, on north coast.

*Nuevitas.*—From junction of Santa Clara and Puerto Príncipe provinces, on north coast, to junction of Puerto Príncipe and Santiago provinces, on north coast.

*Gibara.*—From junction of Puerto Príncipe and Santiago provinces, on north coast, to Cabonico y Lebisa.

*Baracoa.*—From Cabonico y Lebisa to Punta Maisi.

*Guantánamo.*—From Punta Maisi to Río Baconao.

*Santiago.*—From Río Baconao to Cabo Cruz.

*Manzanillo.*—From Cabo Cruz to junction of Puerto Príncipe and Santa Clara provinces, on south coast.

*Santa Cruz.*—From junction of Santiago and Puerto Príncipe provinces, on south coast, to junction of Puerto Príncipe and Santa Clara provinces, on south coast.

*Tunas de Zaza.*—From junction of Puerto Príncipe and Santa Clara provinces, on the south coast, to Río Agabama.

*Trinidad.*—From Río Agabama to Río San Juan.

*Cienfuegos.*—From Río San Juan to junction of Santa Clara, Matanzas, and Habana provinces, on south coast.

Subports of entry may be established by order of the military governor of Cuba.

# INDEX.

## A.

	Article.
Abandoned goods, proceeds of, not to be returned to owner.....	109, 110
wreck, merchandise of, who is owner.....	161
Abandonment, implied, described.....	157
must be so declared in writing by collector of customs.....	158
of merchandise exempts from payment of duties.....	110, 157
Abatement of duty on dead animals.....	174
Accidents at sea to be reported by captain to surveyor.....	81
to goods, how invoices are affected thereby.....	103
Accounts must be submitted to proper inspection.....	13
principal customs officers required to keep.....	13
public property to be accounted for as prescribed by military gov- ernor.....	14
of bonded warehouses to be examined.....	192
of money Secretary of War may require.....	14
to be rendered in proper form.....	14
Accurate returns to be made by appraiser.....	131
Acting collector of customs.....	3
Correspondence of, how transmitted.....	5
To render reports.....	5
Who may be appointed.....	3
Additional duties.....	224
assessed against consignees, when.....	226
Additions to manifest null and void.....	77
Addressee of letters containing merchandise required to appear at post-office.....	141
Admeasurement of vessels for registry to be performed by surveyor.....	22
Advertisement of sale, how paid for.....	110
Ad valorem duties, how calculated.....	100
market value of goods, basis of.....	100
merchandise subject to.....	100
wholesale price, basis of.....	100
to include value of container.....	100
Affidavit, false, penalty for.....	221
Agents of consignees.....	98, 97
marine insurance companies, when considered consignees.....	94
vessels, when allowed to board.....	65
Alcoholic liquors for post exchanges not free.....	69
Allowances for damage and short shipments not allowed.....	172
Alterations in bonded warehouse, provisions for.....	190
require new bonds.....	190
Altered receipts must be investigated.....	44
Amended returns of weights must be checked or signed by weigher.....	58
approved by surveyor.....	58
original figures not to be erased.....	58

	Article.
American consignments renounced, procedure for .....	113
flag, what vessels may fly .....	179
Ammunition not to be carried on vessels engaged in coasting trade .....	179
Amount of bonds of employees to be determined by collector .....	62
duty on baggage that may be remitted .....	72
Anchorage, place of, to be indicated by port authorities .....	80
Anchoring place, procedure on entering .....	78
Animals imported, claim for damages to .....	174
Appeals provided for .....	17
Application for establishment of bonded warehouse .....	188
permit for transfer of merchandise .....	156
vessels to engage in export trade .....	147
to enter goods without invoice .....	104
collector of customs to export for repairs .....	73
Appraisal of merchandise, expenses of, how to be paid .....	110
goods admitted free are to be appraised .....	129
how made where there is no appraiser .....	187
letters, accounts, and invoice must be produced .....	137
oaths may be administered for .....	137
order for, to be issued .....	131
samples must be submitted to collector .....	134
when to be made .....	119
where to be performed .....	73, 135
who may be present at .....	73
Appraisers, division of appraisers .....	129, 130
information to be furnished by, to collectors .....	133
may demand the production of documents .....	137
examine importers under oath .....	137
must apply paragraphs, rules, etc., of tariff .....	131
closely inspect all articles .....	134
observe rules of collector of customs for Cuba .....	131
report to collector of customs .....	133
verify prices on entry with market value .....	133
the representative of collector of customs .....	129
responsible to collector for correct appraisal .....	131
to describe merchandise, how .....	133
report in writing to collector .....	132, 133
supervise appraisal of all merchandise .....	130
under control and direction of collectors .....	129, 132
Appraiser's store to receive samples of cargoes in bulk .....	40
warehouses, persons excluded from .....	73
Approval of surveyor required on amended return of weights .....	58
Arms not to be carried on coasting vessels .....	179
Arrests may be made by masters of light-house tenders .....	34
Arrest of persons violating the law .....	246
Articles known as oleomargarine .....	71
purchased by Departments of Government dutiable .....	70
which may be exported for repairs .....	73
Artificial butter to be branded as oleomargarine .....	71
Assistant weighers to be assigned to duty by weigher .....	53
Attacks by pirates, how guarded against .....	243
Auction sale of goods not duly entered .....	107, 108
Audiencia de lo criminal, jurisdiction of .....	231
Authority for withdrawal of bonded goods .....	36



	Article.
Authority of customs agents, how secured .....	93
Authorization of consignee's clerks necessary .....	98
to open all packages .....	67
concealed spaces .....	67
destroy false; bottoms .....	67
partitions .....	67
bulkheads .....	67
Average weight of steel rails, how to be secured .....	59

## B.

Baggage, duty on, not to exceed \$1 may be remitted .....	73
examination to be made in presence of owner .....	188
landed before persons are permitted to board vessels .....	65
list of, to be produced .....	80
of officers and enlisted men admitted free .....	234
of passengers, how landed .....	122
owner of, to be examined .....	138
permits to be entered in discharging book .....	51
unclaimed, how disposed of .....	188
when examined .....	188
when passengers are to be searched .....	188
when sent to warehouse .....	138
Ballast must not be taken on board while vessel is unloading .....	45
Banker, when considered as consignee .....	94
Basis for computing periods granted for customs operations .....	88
of classifications made by appraisers .....	184
Barges, general bond for .....	199
Beam of scales, how to be poised .....	57
to be kept clean .....	57
to be tested frequently .....	57
Bills of lading made to order to be stated in manifest .....	87
may be transferred by indorsement .....	94
necessary for all transport shipments .....	234
to accompany entries .....	98
to be indorsed to importer .....	98
Blank dock book for weighers .....	55
how to be kept .....	55
spaces in manifests to be "lined" .....	77
Blanks used at the expense of the interested party .....	220
Boats not allowed to go alongside vessels in port .....	65
Boarding inspectors, duties of .....	31
must ascertain name of vessel and master .....	31
board all vessels coming from foreign ports .....	31
certify the manifest of cargo .....	31
examine documents relating to vessel and crew .....	31
have charge of vessel until permit for unloading	
is granted and a discharging officer is assigned	
to vessel .....	31
learn name of port of departure of vessels boarded .....	31
seal hatches and openings when necessary .....	31
verify manifest of cargo by actual examination .....	31
Board of Appeals, action to be forwarded to collector of customs for Cuba .....	242
appointed by collector of customs .....	286

	Article.
Board of Appeal, decisions reached by majority vote .....	239
how appointed .....	236
majority of, constitutes a quorum .....	236
to consider protests .....	236
hear evidence of protest .....	237
keep full record of proceedings .....	238
submit findings to chief of customs service .....	238
vote of, to reconsider decisions .....	240
Bond, amount of, to be determined by collector .....	62
class of surety for .....	63
for establishment of warehouse .....	188
form of, to be prescribed by collector .....	62
must be good and valid .....	61
necessary for night discharge of vessels .....	118
new, when required .....	189
object of .....	61
of customs employees .....	61
agents .....	93
to be registered .....	93
required for export of bonded goods .....	214
to be executed before collector .....	188
given by owner of vessel engaged in coasting trade .....	179
for production of invoice .....	104
who are to furnish .....	61
Bonded goods, how transferred .....	202
liable for duties in force at time of withdrawal .....	219
must be warehoused by shipping marks .....	195
must be numbered consecutively .....	195
period allowed for storage of .....	195
merchandise to be noted on manifest .....	123
privilege not to be abused .....	123
stores to be guarded by night inspectors .....	35
warehouses, classes of .....	184
may be discontinued, when .....	192
under customs locks .....	186
Book of weights to be filed within six days after discharge of vessel .....	56
Books to be kept by district inspectors .....	25
of bonded warehouses to be examined .....	192
Broken seals, penalties for .....	224
to be reported to collector of customs .....	119
Building, part of, may be bonded .....	186
Bulk cargoes, how treated .....	40
Bulkheads of vessels may be destroyed .....	67
Bulky articles may be stored in warehouses of class 3 .....	187
Bulletin board of custom-house .....	99
purpose and object of .....	99
Butterine to be branded as oleomargarine .....	71

## C.

Cancellation of export bond .....	216
Capacity of vessels in which importations may be made .....	111
Captains entering port through stress of weather shall present copies of manifest .....	..
must keep record of payments of foreign tonnage dues .....	159

	Article.
Captains, name to be given in manifest .....	77
of steamships to make oath of truth of manifest .....	117
to notify collector when ready to sail .....	153
Cargo and manifest must agree .....	76
for immediate delivery, where landed .....	115
in bulk, how entered in manifest .....	77
how treated .....	40
lost at sea to be reported to surveyor .....	81
manifest of, sworn to by master .....	75
must not be taken on board while vessel is discharging .....	45
of coastwise vessels, when considered foreign .....	166
contraband vessel to be sent to custom-house .....	128
each vessel, weight of, separate book for each .....	56
transport .....	234
vessels engaged in coasting trade may be examined .....	179
to be accounted for before clearance is granted .....	90
checked out by marks and numbers .....	50
discharged at different ports .....	84
examined by boarding inspectors .....	31
landed under supervision of inspectors .....	115
transferred to be accounted for by coast inspector .....	33
removed at night, how done .....	35
when it may be reloaded .....	159
Carriage of merchandise by custom-house to be charged against same .....	67
Cartmen transporting dutiable goods must produce license .....	43
Carts, general bond for .....	199
Casks of wine in bond may be refilled .....	206
Casualties to vessels to be reported .....	163
Cashiers of custom-houses to record payment of foreign tonnage dues .....	180
Cattle may be landed without delay .....	121
Causes of entrance through stress of weather must be stated .....	159
Certificates for delivery of goods .....	50
lading .....	216
unlading vessels .....	159
of clearance .....	153, 168, 179
collectors of payment of tonnage dues .....	181
consuls .....	75, 99
deposit of ship's papers .....	75
draymen .....	43
health of cattle .....	121
lightermen .....	43
payment of foreign tonnage dues .....	180
seizure .....	128
shipments "in part" .....	28
of merchandise .....	27
surveyor of the port of necessity for unlading .....	159
weighers and gaugers .....	27
weights .....	60, 120
withdrawal for export .....	214
value of coin .....	99
Changing anchorage, penalty for .....	224
Character of merchandise to be given in manifest .....	77
Charges due on unclaimed goods, how to be paid .....	110
to be paid from sale of warehoused goods .....	110

	Article
Charity, shipments devoted to, must be manifested .....	234
Chief inspector to assign night force to duty .....	37
see that orders of surveyor are obeyed .....	37
make daily reports .....	37
supervise night inspectors .....	37
of customs service .....	2
authority of, how conferred .....	2
duties of .....	2
must be an officer of the Army .....	2
title of .....	2
under orders of military governor .....	2
Chiefs of departments to give receipts for declarations .....	112
Chronometers may be landed for repairs under bond .....	122
Cigars brought by passengers may be entered free .....	122
Circular No. 31, Division of Insular Affairs .....	71, 281
Circumstances calling for surrender of coasting permit .....	173
of entrance through stress of weather must be stated .....	159
Citations for captains, how served .....	88
Citizens and police to aid night inspectors .....	36
Civilian passengers on transports, regulations for .....	234
Claims for damages not allowed for injury caused in searching vessels .....	67
Classes of bonded warehouses .....	184
Classification of merchandise to be decided by customs inspector of Habana .....	17
Clearance certificate to be presented to consul .....	75
issued by collector .....	75
of vessels, when permitted .....	90
not permitted till cargo has been discharged .....	90
papers to be produced by masters .....	75
permits for coastwise vessels .....	168
Clerical errors may be corrected .....	136
Clerks of consignees .....	93
Coal may be stored in warehouses of class three .....	187
must not be taken on board while vessel is discharging .....	45
on vessel to be entered in report of discharging inspector .....	51
Coasting permits must be approved by military governor .....	177
when renewed .....	173
trade of Cuba, what vessels may engage in .....	177
vessels to be examined and record made thereof .....	25
Coast inspectors .....	32
must keep account of cargo transferred .....	33
make two manifests of transferred cargo .....	33
proceed to location of wrecked or stranded vessel .....	32
protect interests of the revenue .....	32
purpose of appointment .....	32
to guard wreck or stranded vessels .....	32
oversee all merchandise landed .....	32
report facts of wreck to surveyor .....	32
when to take charge of goods landed from wrecked vessels .....	32
surveillance .....	64
when it begins .....	64
terminates .....	64
where exercised .....	64
Coastwise trade described .....	166
what vessels may engage in .....	166

	Article.
Coastwise vessels can not touch at foreign ports .....	166
clearance of .....	168
Coins of the United States to be received for duties .....	99
Collection district, on entering, manifest to be produced .....	79
Collector of customs, all doubtful questions to be referred to collector of chief port .....	15
directed to perform certain duties formerly belonging to United States consuls .....	15
civil officials may be appointed to act temporarily as acting collectors .....	8
correspondence of, how transmitted .....	5
holds possession of all merchandise until duties are paid .....	18
is the chief officer of the customs district .....	18
lashes of subordinates, not liable for .....	19
may annul authority of clerks .....	98
appoint deputy collectors .....	21
extend period of 90 days for entry of merchandise .....	107
issue permission to engage in coastwise trade .....	187, 177
remit duties not to exceed \$1 .....	72
must certify or order certification of balances after due examination .....	15
declare merchandise abandoned in writing .....	158
indorse their views on all documents submitted for that purpose .....	15
require all subordinates to comply with customs laws, regulations, and all orders .....	15
• see that register of collections is correct .....	15
not liable for losses occasioned by their official acts .....	19
officers of the Army to act as .....	3
renunciation of consignment addressed to .....	94
required to comply with these regulations, the cus- toms laws, and general and special orders .....	15
shall appoint the employees of the respective customs houses .....	15
forward all reports required by superior author- ity .....	15
require cashiers and employees to make deposits punctually in public treasury .....	15
safeguard moneys while in their possession .....	16
see that all duties, taxes, and imposts are col- lected at the proper time .....	15
to designate employees who are to be bonded .....	61
file and stamp manifests .....	82
authorize discharge of vessels .....	115
be notified of liens for freight .....	114
certify to duplicate manifest .....	153
countersign permits to engage in coasting trade .....	177
decide all questions raised in the dispatch of merchandise .....	15
direct appraisers .....	132
examine all entries .....	101
fix bonds of customs agents .....	98
furnish certificates of weight .....	60
have custody of merchandise unladen in distress .....	159

	Article.
Collector of customs to inspect oleomargarine .....	71
issue certificate based on statements relative to seiz-	
ure of contraband vessels .....	138
clearance to vessels .....	75
keep registry of authorization of clerks .....	98
order delivery of abandoned goods .....	110
post notices on bulletin board .....	89
prescribe interior regulations of the respective	
custom-houses .....	15
receive consular certificate of deposit of ship's	
papers .....	75
render reports .....	5
require correction of all erroneous entries .....	101
sell goods not entered within ninety days after im-	
portation .....	107
send goods to general order stores, when .....	87
take possession of all unclaimed goods .....	52
goods not discharged at proper	
time .....	52
vessels are subject to his authority while in port. ....	18
Combined warehouse and transit bond .....	301
Commercial code to govern disposal of renounced consignments .....	113
Common carriers, bond of, for transportation of goods in bond .....	302
must report arrival of goods at destination .....	301
of goods in bond, liability of .....	123
Companies, marine insurance, when considered consignees .....	94
Compensation allowed for working at night .....	118
Competent tribunal to determine salvors' interest in wrecked goods .....	161
Compounds of butter to be known as oleomargarine .....	71
Computing periods for customs operations, basis of .....	88
Concealed merchandise, how disposed of when penalties are not paid .....	157
spaces on vessels may be opened .....	67
Concealment of books or papers, penalty for .....	221
Conditions calling for surrender of coasting permit .....	178
Conductors of cars to receive manifests from district inspectors .....	27
Confiscated merchandise to be sold .....	106
proceeds of, to be delivered to collector .....	106
Confiscation of goods not duly passed at custom-house .....	106
Consignees, classes of .....	92
may employ clerks for customs operations .....	93
Consignee of vessel to be given in manifest .....	77
when not found, procedure .....	113
who is so considered .....	94
of goods consigned to order .....	94
Consignment may be admitted or renounced .....	94
renounced, procedure for .....	113
Consular certificates, when not required .....	73
to show value of foreign coins .....	86
Consuls allowed to board incoming vessels .....	65
methods of, for certifying to manifests .....	77
of a friendly nation to certify invoices of goods shipped to the	
United States .....	12
nation of contraband vessel to be notified of seizure .....	125
to be advised of abandoned merchandise .....	125

	Article.
Consuls to receive ship's papers .....	75
when considered as owner of merchandise .....	118
Consumption permit must agree with entry .....	98
to be entered in the discharging book .....	51
Container, value of, to be included in assessing ad valorem duties .....	100
Contents of liens for freight .....	114
packages to be marked .....	105
manifest .....	77
Contraband merchandise not to be exported .....	91
vessels, all hatches to be closed and sealed .....	128
Copies of declaration must agree .....	97
landing permits to be made .....	53
manifests for partial discharges .....	84
general manifests to be presented at each port .....	84
certification of, .....	84
Corporations may furnish a general bond .....	199
to forfeit all oleomargarine not branded .....	71
Correct returns must be made by appraiser .....	181
Corrections in manifest not certified, null and void .....	77
of manifest, when permitted .....	76
Correspondence of collectors and acting collectors to be transmitted through office of principal customs port .....	5
Cost of sending goods to warehouses to be avoided, when .....	41
Country of final destination of exported merchandise to be stated .....	150
Cove, when entered by vessel, manifest to be delivered to inspector .....	78
Crafts entering wrecked goods must manifest cargo .....	161
Crew, documents relating to, to be examined by boarding inspector .....	31
of vessels engaged in coasting trade may be examined .....	179
Criminal courts have jurisdiction in customs cases .....	221
Cruising ground for Revenue-Cutter Service .....	243
Cuban productions are to be entered free .....	161
vessels authorized to clear for foreign ports .....	179
in ports of United States subject to section 2497 of Revised Statutes .....	179
only to engage in coasting trade .....	166
wrecked, not dutiable .....	161
Customs agents to furnish bond .....	98, 97
duties collected by postmasters, when .....	142
employees—Inspectors, all goods seized to be sent to the public stores .....	24
assigned to duty by surveyor .....	24
forbidden to perform any private or unof- ficial duties on board vessels .....	24
must ascertain whether incoming vessels are provided with signal lights ...	24
send receipts and reports to sur- veyor .....	24
take receipt of storekeeper for such goods .....	24
on special service, required to wear uni- forms, where .....	24
to be appointed by surveyors .....	24
superintend unloading of vessels at night .....	35

	Article.
Customs employees—Inspectors, when collector may appoint .....	24
Customs districts, description of .....	5, 247
Custom-houses, description of .....	1
for what purpose established .....	2
how established .....	1, 4
locks, where to be used .....	30
of second class .....	2
two classes of .....	2
Customs officials, duties of .....	
collection of duties .....	6
fees .....	6
penalties .....	6
compilation of returns of commerce, navigation, and im- migration .....	6
disbursement of public moneys .....	6
documenting of vessels .....	6
exclusion of foreign vessels from coastwise trade .....	6
immigration laws, enforcement of .....	6
maintenance of laws .....	6
treaties .....	6
must warn and advise .....	8
prevention of smuggling .....	6
securing lawful revenue .....	6
suppression of smuggling .....	6
use and preservation of public property .....	6
Customs operations, who may perform .....	93
surveillance, by whom exercised .....	66
in jurisdictional waters .....	66
in ports .....	66
where exercised .....	66
D.	
Damage can not be claimed for losses occasioned by examination of vessel ..	67
of merchandise, no allowance for .....	173
to goods incurred on voyage, no allowance for .....	110
Date manifest is received to be stamped thereon .....	82
of landing goods from vessel to be noted in discharging book .....	51
warehousing must be placed on all bonded packages .....	196
Dead animals, abatement of duty on .....	174
Death of consignee, effect of .....	157
parties to a bond to be reported to military governor .....	159
Declarations and oath of consignee .....	
copies of, must agree .....	97
of abandonment, when not necessary .....	157
wrecked merchandise .....	163
to be compared with manifest, invoice, and bill of lading .....	112
delivered to chiefs of departments .....	112
noted in register .....	112
numbered .....	112
sworn to for supplies for post exchanges .....	9
Decisions of collectors of supports to be forwarded to collector of customs for Cuba .....	341
Definition of printed matter .....	145



	Article.
Deliveries of goods from any vessel must correspond to landing permit for same .....	28
Delivery of merchandise to be made in open day .....	118
Deposit of ship's papers .....	179
Derelict merchandise is dutiable .....	161
Description to be made of unshipped merchandise .....	29
vague, not allowed in manifests .....	77
Destruction of invoice, penalty for .....	221
Differences in weight, penalty for .....	224
Discharge book to be delivered to surveyor .....	50
duly signed .....	50
accompanied with permits and orders of discharge .....	51
Discharge of vessels, collector to designate place for .....	115
entering port in ballast .....	127
details of, how arranged .....	118
goods landed in error .....	128
goods without permit sent to general-order store .....	115
made under supervision of inspectors .....	115
nothing to be landed without permission .....	124
periods for .....	125
permit for unlading ballast .....	127
responsibility of captain in .....	115
rules for discharging cargo in bulk .....	121
to be performed in open day .....	118
to be performed within prescribed period .....	115
unlading of cattle .....	121
when permitted .....	115
Discharging book to be kept by discharging inspectors .....	50
must designate disposition of all packages .....	51
entries in, how to be made .....	50, 51
how to be kept .....	50, 51
inspectors: alterations in receipts to be investigated .....	44
are to check our cargo .....	50
assigned to vessels to examine cargoes .....	38
for storing or delivering of cargoes .....	88
to superintend unlading .....	88
duties of .....	88
extra hours of service to be paid for by shipper .....	47
have power to oblige cartmen and lightermen exhibit license to carry goods .....	48
how permits are to be entered in discharge book .....	51
must be constantly on duty until relieved .....	48
close hatches before leaving vessel .....	48
endeavor to save expense to owner of perishable goods .....	41
have goods properly separated on wharves for convenience of weighers, gaugers, or markers .....	42
have goods weighed, gauged, or measured before removal .....	42
lock room or safe where valuables are stored .....	39
not allow ballast or coal to be loaded while vessels are discharging cargo .....	45

	Article
Discharging inspectors must not allow unlading of goods before sunrise or after sunset .....	46
report condition to night inspector when he takes charge.....	48
disobedience of lightermen or cartmen.....	43
to what places goods are sent.....	50
secure all unbroken packages of sea stores...	38
submit discharge book to surveyor.....	51
to surveyor all vouchers relating to disposition of the cargo .....	51
not allowed to leave vessel without consent of surveyor .....	48
samples of cargo in bulk to be sent to appraiser's store .....	40
to cancel or remove all customs seals before delivering goods for further transportation .....	49
keep a discharge book.....	50
personally examine vessels before reporting them fully discharged.....	53
report all explosive or perishable goods imported. goods on board after discharge period has expired .....	41
coal on board vessels.....	52
excess of sea stores.....	51
seize all goods removed in violation of law.....	38
send mail to nearest post-office .....	43
unsigned receipt with each load of goods to warehouse.....	33
take charge of specie and valuables .....	44
officers assigned to vessels.....	39
Disobedience of customs orders or regulations to be reported to surveyor...	31
Disposal of explosive substances.....	43
Disposition of duplicate manifest.....	200
perishable goods .....	153
printed matter relating to lotteries .....	200
refitted vessel .....	146
unshipped packages .....	163
Dispositions of the tariff must be applied by appraiser.....	39
Disputes over charges for warehousing goods, how decided .....	131
Distress, vessels in .....	186
District inspectors, books to be kept by .....	150, 242
certificates of shipment, made by .....	35
in charge of final delivery to make final return of discharge .....	36
have general supervision of all vessels coming into their districts.....	5
how report of partial discharge of vessel is to be made...	5
must be in their respective districts during such hours as the surveyor may direct.....	5
certify to manifests delivered to masters or conductors.....	5
give name of weigher or ganger underneath certificate of shipment.....	5

	Article.
District inspectors must specify underneath certificate number of packages not shipped and reason, if known .....	28
state disposition made of unshipped portion of shipment .....	28
record book to be kept by .....	25
to ascertain if Cuban vessels are properly documented ..	25
have complied with navigation laws .....	25
examine vessels coming into their district .....	25
retain custody of vessels until relieved by discharging inspectors .....	25
secure and seal all hatches and openings of vessels from foreign ports which enter their district .....	25
supervise shipment of goods for export .....	26
transportation in bond .....	26
when shipments are to be indorsed "shipped in part" ..	28
there are two inspectors one must be constantly on duty .....	25
to indorse on original entry certificate of shipment .....	27
Division appraisers. (See Appraisers.)	
Division of insular affairs, circular of, No. 31 .....	71
Dock book for weighers .....	55
how to be indorsed .....	55
kept .....	55
to be corrected to agree with amended return of weights .....	58
Documents in support of protests to be presented .....	239
of vessels to be deposited with consul .....	75
relating to vessel and crew to be examined by boarding inspector ..	81
required for export of merchandise .....	151
to be presented for appraisal of merchandise .....	137
Double duties charged on provisions not listed with ship's stores .....	234
Doubts as to quality of goods, how decided .....	134
Draymen must produce signed receipt for goods delivered before intrusted with another load .....	44
or lightermen must give bond .....	198
Duress by enemies, obligations and privileges conferred by .....	78
Dutiable goods claimed as stores to be sealed by discharging collector ..	38
stored in bonded warehouses .....	184
mail held until duties are paid .....	143
Duties assessed on merchandise received by mail .....	130
must be paid on derelict merchandise .....	161
excessive ship's stores .....	86
not to exceed \$1 may be remitted .....	79
of consuls of the United States performed by collectors of customs ..	15
Revenue-Cutter Service .....	249
weighers .....	53 60
on baggage and effects, when remitted .....	79
passengers' effects, when remitted .....	129
to be paid from proceeds of sale .....	110
Duty, amount to be paid on merchandise to be decided by customs inspector at Habana .....	17
Duty-paid merchandise, when to be sold by collector .....	108

	Article
Duty, neglect of, to be reported to surveyor by weigher .....	58
performance of, guaranteed by bond .....	61

## E.

Effects of passengers ( <i>see</i> Baggage).	
when admitted free of duty .....	123
duties on, not to exceed \$1 may be remitted .....	72
Employees not restricted in discharge of their duty .....	67
Entrance of vessels through stress of weather .....	159
Entries of district inspectors to be made with necessary particulars .....	25
Entry of merchandise, agent must have power of attorney for making .....	97
amendments to, not permitted .....	97
collector of customs to examine .....	101
copies of, must correspond .....	97
declaration of, who may make .....	95
must be numbered consecutively .....	96
different consignees can not unite in a single entry .....	96
methods of .....	95
form of declaration and oath .....	97
information to be set forth in entries .....	97
motive power of vessels to be stated in .....	102
must be accompanied by bill of lading and invoice .....	98
authorized by proper department of custom-	
house .....	96
made at custom-house of port of arrival .....	95
on entire sheets of paper .....	96
give port of origin .....	97
not contain amendments or erasures .....	97
number of must agree with permit .....	59
of steamships making regular trips .....	117
goods for warehousing must be in duplicate .....	194
should give number and paragraph of manifest .....	97
class, etc., of packages .....	97
weight of each article .....	97
state name of consignee .....	97
value of merchandise .....	97
to be duly recorded .....	112
made in duplicate or triplicate .....	96
when duties accrue .....	96
made in triplicate .....	261
who may make .....	96
Equipment may be landed for repairs under bond .....	122
of Cuban vessels wrecked not dutiable .....	164
Errors, clerical, may be corrected .....	136
in certified manifest to be reported .....	77
manifest do not cause forfeiture .....	76
for export, how corrected .....	140
Evidence in support of appeals .....	257
of fraud, penalty for destruction of .....	257
shortage must be presented to collector .....	127
to be taken for classification of goods .....	127
Examination by appraisers to be reported to collector .....	127
new, may be made in cases of suspected frauds .....	127
of account of bonded warehouses .....	127

	Article.
Examination of baggage .....	129
cargo and manifest by boarding inspector necessary .....	31
goods landed in error .....	133
merchandise, how performed .....	105
premises used for bonded warehouse .....	188
Exceptions to regulations for deposit of ship's papers .....	73
Exchanges, post, what may be imported by .....	69
Exclusion of all persons from appraisals .....	78
Exceptional examination of goods to be reported .....	135
Execution of bonds before collectors .....	188
Exemption from duty of periodicals .....	145
tonnage dues .....	176
Expense of discharge of contraband vessel, how paid .....	138
night discharge, on whose account .....	47
Expenses incurred in seizure charged to consignee .....	136
Expense of appraisal, how paid .....	110
storage and sale to be deducted from proceeds .....	107
vessels in distress to be paid for by sale of cargo .....	159
Expiration of period granted for storage causes abandonment of goods .....	157
Explosives, not allowed in bonded warehouses .....	200
to be reported to collector .....	41
when seized .....	226
Exportations, application for, to be made to collector .....	147
certificate of clearance, when granted .....	153
documents required for .....	151
expenses of lading for, by whom borne .....	151
how vessels are to qualify for .....	147
manifest of, to be presented .....	151
merchandise for, how examined .....	149
errors in, how corrected .....	149
of products of the island of Cuba .....	151
permit for, how issued .....	148
policy of vessels to be presented in duplicate .....	147
what they are to contain .....	147
special regulations for lines of steamers .....	149, 159
supervision of .....	151
vessels to engage in, to be examined .....	148
when night work shall be allowed .....	159
Exportation for repairs .....	78
Export bond, when canceled .....	216
Export or transshipment entries to be returned to surveyor's office ..	80
transport permits .....	81
Extension of period allowed for storage of bonded goods ..	199
Extracts known as oleomargarine .....	71

## F.

Failure to appear to claim goods, effect of ..	167
pay liquidated duties, penalty for ..	226
False bottoms may be destroyed ..	87
oaths, penalties for ..	87
Families of soldiers, baggage of, entered free ..	244
Fees for consular services to be collected by collectors of customs and	
accounted for as customs collections ..	19

	Article
Figures, original, of weigher not to be erased .....	58
and letters to be used in manifests .....	77
Findings of board of appeals must be in writing .....	237
Fine for consul returning ship's papers before clearance certificate is issued .....	75
failure to deposit ship's papers .....	75
permitting persons to board or leave vessel without consent of customs officers .....	65
Firms may furnish a general bond .....	199
to forfeit all oleomargarine not branded .....	71
Firearms, when seized .....	236
Firkins containing oleomargarine to be branded .....	71
Flag of vessels engaged in coasting trade of Cuba .....	177
Foreign goods landed from a vessel in distress are dutiable .....	161
merchandise, transit of .....	154
in transit not liable for duties .....	154
vessels not engaged in trade exempt from tonnage taxes .....	176
obligations of masters of .....	75
to deposit ship's papers with consul .....	75
when permitted to engage in coastwise trade .....	166
Forfeiture of merchandise .....	222
not on manifest .....	76
when remitted .....	76
Form of bond of employees to be prescribed by collector .....	63
Forms, application to enter goods without invoice .....	104
declaration of owner .....	97
consignee .....	97
Form for manifest of packages carried in transit .....	154
withdrawal for exportation .....	211
of oath of consignee .....	97
owner of merchandise .....	97
declaration on export withdrawal .....	212
export delivery permit .....	215
issuing permits to engage in coasting trade .....	179
order for examination of bonded goods withdrawn for export .....	216
permit to unlade ballast .....	127
transfer of merchandise in bond .....	192
withdrawal permit .....	206
Forms, blank, at the expense of the interested party .....	229
Four leagues, limit of jurisdictional waters of Cuba .....	64
Fractional silver of the United States to be received in limited amounts .....	90
Frauds, when suspected, may be investigated .....	64
Fraudulently entered goods to be forfeited .....	106
Free merchandise to be appraised .....	129
of duty, supplies for United States Army and Navy .....	6
pratique, admission to .....	81. 3
permits to be entered in the discharging book .....	7
Freight carried from United States on Army transport .....	223
due, to be paid from sale of unclaimed goods .....	110
Funds, employees in charge of, to be bonded .....	62
G.	
Garrisons, officers in charge of post exchanges .....	6
Gaugers or weighers, names of, must appear on certificates .....	27. 2
General bond for lighters or drays .....	120
manifest must state packages transferred .....	121

	Article.
General order stores, goods in, when to be sold .....	109
when goods are to be sent to .....	87
transportation bond .....	202
Gold coin to be received for duty .....	99
Goods consigned to order to be noted in manifest .....	77
devoted to charity must appear on manifest .....	233
imported in any vessel must correspond to landing permit .....	23
in bond liable for duties in force at time of withdrawal .....	219
period allowed to remain in storage .....	193
samples of, may be taken .....	205
in transit, general manifest for necessary .....	224
landed are to be properly separated on wharves .....	42
may be followed when frauds are suspected .....	64
must all pass through custom-house .....	67
be examined in appraisers' room .....	185
not duly entered within ten days to be placed in store .....	116
passed at custom-house to be seized .....	106
on vessel not manifested, penalty for .....	224
to be arranged on wharves for convenience of weighers .....	42
entered within ninety days after importation .....	107
undervalued, when confiscated .....	226
when forfeited to Government .....	106
Government stores used for storage of seized goods .....	185
to pay duty on supplies .....	70
vessels exempt from tonnage taxes .....	176
Governor-General must approve permits to engage in coasting trade .....	177
to be advised of American consignments renounced .....	118
Gross tonnage to be stated in manifest .....	77
weight of packages to be given in manifest .....	77
Gunpowder not allowed in bonded warehouses .....	200

## H.

Harbor improvement taxes .....	175, 176
Hatches and openings of foreign vessels to be sealed by district inspectors ..	25
closed by revenue officers .....	244
of contraband vessels to be closed and sealed .....	128
to be opened only in presence of collector .....	128
sealed by boarding inspectors .....	31
Havana designated as principal customs port of Cuba .....	5
Health certificate necessary for cattle landed .....	121
officers permitted to board incoming vessels .....	65
Heavy articles may be stored in warehouses of class three .....	187
How manifest is received to be stamped thereon .....	82
Hours when vessels may be unladen .....	46

## I.

Identification of articles exported for repairs .....	73
Imports and weights to be tested .....	54
Implied abandonment, how decided .....	157
Imports by sea .....	67
not entered within ninety days to be sold .....	107
of oleomargarine to be inspected by collector .....	71

	Article
Importations, when considered as beginning.....	68
of goods free of duty, when concluded.....	68
Imported animals, claim for damages to.....	174
Importer must deliver abandoned goods as directed.....	110
may abandon all or part of shipment.....	110
examine bonded goods.....	205
must give bond for duty on goods in bonded warehouse.....	195
not liable for duty on abandoned goods.....	110
right of appeal from appraisement.....	161
Importing vessels, when vessels are so considered.....	68
Imprisonment of persons committing frauds against the revenue.....	221
Incorporated companies may act as sureties.....	188
Information furnished by appraisers to collectors.....	133
Injury to persons on vessels to be reported.....	163
Insolvency of parties to a bond to be reported to military governor.....	189
Insurance companies, marine, when considered consignees.....	94
Interlineations in manifests, null and void.....	77
Interior circulation.....	188
employees of custom-houses to exercise surveillance.....	66
Inventory of wrecked cargo.....	163
Investigations made by judges.....	221
Invoices, bond to be given for production.....	104
fraudulent, penalty for.....	221
may be divided, how.....	194
cover goods for consumption and for warehouse.....	217
penalty for failure to produce.....	104
pro forma.....	104
required for each separate shipment of goods.....	108
to be compared with entry.....	104
reduced to the currency of the United States.....	99
state country of origin of goods.....	108
weight of steel rails in, when accepted.....	59
Iron, heavy, may be stored in warehouses of class 3.....	187
railroad, how to be weighed.....	59
"I. T." permits to be entered in the discharging book.....	51

## J.

Judges of first instance, authority of.....	221
instruction, authority of.....	221
Jurisdictional waters of Cuba.....	64

## L.

Labor in handling bonded goods, how paid.....	186
Lading for export to be verified.....	131
of merchandise, documents required for.....	131
permits, under what conditions granted.....	43
Landed goods to be properly separated on wharves.....	43
Landing from vessels in port.....	65
permit necessary for seized goods.....	122
Language of manifest.....	111
protests.....	24
Lardine to be branded as oleomargarine.....	7
Leaf tobacco unclaimed to be destroyed, when.....	107.



	Article.
Legal holidays, legal effect of .....	84
introduction of merchandise, how performed .....	67
period for discharge of vessels .....	125
proceedings not stayed by fines .....	232
Legitimate importation to be proven .....	183
Letters and figures to be used in manifests .....	77
carried contrary to law to be seized .....	12
containing dutiable merchandise, how examined .....	141
may be seized, when .....	12
suspected of containing merchandise, how marked .....	142
when delivered without being opened .....	142
opened in presence of customs officers .....	141
Liability of agents and principals .....	97
common carriers for goods in bond .....	128
customs officers as to bonds .....	63
officers who certify shipments without due inspection .....	30
Libeled for salvage, merchandise .....	161
Liens for freight, form of .....	114
must be satisfied .....	114
notice of, to be given to collector of customs .....	114
on goods for immediate shipment can not be recognized .....	114
to be verified by affidavit .....	114
Life, loss of, to be reported .....	163
Lighters, general bond for .....	199
can not approach vessel other than the one being unladen .....	116
discharging cargo to be accompanied by an inspector .....	116
must discharge at once on wharves .....	116
have manifest before allowed to depart from wreck .....	33
manifests must be in prescribed form .....	33
by whom to be signed .....	33
how disposed of .....	33
Lightermen and draymen must furnish bond .....	198
engaged in transporting dutiable goods must produce permit .....	43
when requested .....	43
Limitations of articles to be admitted free for post exchanges .....	69
Liquidation dock book to be verified .....	55
Liquidated duties, when to be paid .....	226
duties, damages not considered in .....	110
List of harbor-improvement taxes .....	175, 176
passengers to be produced .....	80
Local authorities, when manifest to be delivered to .....	78
Locks tampered with, to be reported to collector .....	204
Log book, fine for failure to present .....	224
to be examined by surveyor .....	81
Loss of coasting permit, how proven .....	178
life to be reported .....	163
Lottery tickets, disposition of .....	146

## M.

Machinery allowed to be transported coastwise .....	171
Mail bags, sealed, delivered to postmasters .....	140
packages, when sent to custom-house .....	142
to be sent to post-office by discharging inspector .....	38
Mails, examination of .....	189, 141

	Article.
Malt liquors for post exchanges not free .....	69
Manifests, additions to, null and void .....	77
and cargo must agree .....	76
cargo in bulk, how entered in .....	77
consignee to be given in .....	77
contents of .....	77
copies of must agree with original .....	79
when to be delivered .....	77
copy to be sent to port of destination, when .....	84
corrections of, when allowed .....	76
duplicate to be certified by collector .....	153
for each port of entry .....	77
export to be sworn to .....	153
part of cargo discharged .....	84
gross tonnage to be stated in .....	77
interlineations, not permitted in .....	77
in triplicate, when necessary .....	203
language of .....	77
merchandise not on, forfeited .....	76
must be certified to by district inspectors .....	27
state packages carried in transit .....	154
name of captain to be given in .....	77
of baggage to be produced .....	80
cargoes to be certified to by boarding inspector .....	31
coastwise vessels .....	169
merchandise laden for foreign ports .....	155
route of vessel to be delivered .....	91
transport to be presented at custom-house .....	234
wrecked or derelict merchandise .....	161
penalty for erroneous .....	76, 221
period for producing .....	75
ports of departure to be stated in .....	77
post entries on, when permitted .....	76
register of vessel to be given in .....	77
the basis of all port operations .....	77
time of delivery of, to be stamped on by surveyor .....	83
to be posted on bulletin board .....	80
to be examined by customs officer .....	79
presented to collector .....	153
first customs officer boarding vessel .....	79
returned to captain .....	79
signed and sealed by consul .....	77
stamped "Admitted" by collector .....	82
sworn to by master .....	77
prepared of cargo of wrecked vessels .....	83
two copies in Spanish to be delivered .....	84
to state consignee .....	75
bills of lading made "to order" .....	79
vague descriptions of, not permitted .....	77
weights always to be given in .....	77
when Spanish copies are to be presented .....	77
Manner of issuing permits to engage in coasting trade .....	153
Manufactured substances known as oleomargarine .....	77
Marks, numbers, and weights of packages to be given in manifests .....	77

	Article.
<b>Masters may appeal, when</b> .....	77
entering port through stress of weather shall present copy of manifest.....	77
must not allow persons to board vessel until customs officers take charge thereof.....	65
present clearance papers to consul .....	75
produce manifests of cargo.....	75
to forfeit value of merchandise not manifested .....	76
of lighters to be under bond .....	116
light-house tenders have police powers of search.....	34
vessels engaged in coasting trade may be examined .....	179
in distress, when liable to fine.....	159
to receive certified manifests from district inspectors .....	27
report sea stores to discharging inspectors .....	38
<b>Materials for Army, Navy, and Marine Corps to be admitted free</b> .....	69
used in repairs of vessels dutiable .....	69
<b>Mayors may authorize search, when</b> .....	11
<b>Marine Hospital Service may place vessels under "observation"</b> .....	85
supplies for .....	69
to deliver manifests to surveyor of port.....	85
inspect all vessels .....	81
insurance companies, when considered consignees .....	94
<b>Measures and weights, when tested</b> .....	23
to be compared with standards.....	23
<b>Merchandise abandoned to marine insurance companies</b> .....	94
brought by passengers to be entered.....	122
liable to seizure.....	227
confiscated to be sold .....	108
consigned to order, disposition of .....	87
consignees of .....	92
deposited in general-order stores, when to be sold .....	109
imported in vessels of less than 30 tons capacity confiscated .....	223
in abandoned vessels, consignees of .....	94
bulk, how unladed .....	121
landed in distress dutiable .....	161
error, procedure for.....	123
libeled for salvage .....	161
must not remain over-night on wharves.....	152
pass through custom-house.....	67
not duly entered to be forfeited .....	106
on manifest to be forfeited .....	76
to be landed between sunset and sunrise.....	35
of more than \$100 in value not to be admitted without invoice .....	104
picked up at sea is dutiable .....	161
salvors of, considered as consignees .....	94
taken from a wreck is dutiable.....	161
transported in bond to be sealed.....	123
unshipped must have ticket stating whether for export or transportation .....	39
when considered as abandoned.....	113
duties are paid and not removed from custom-house, how disposed of .....	157
<b>Merchants, when they may declare it necessary to unlade vessels</b> .....	159
<b>Method of keeping dock book</b> .....	55

	Article.
Military governor of Cuba may establish or suppress custom-houses .....	4
prescribe forms for accounting .....	14
to approve form of bond for bonded warehouse .....	188
permits to engage in coasting trade .....	177
public sale of certain goods .....	107
be notified of destruction of bonded ware- house .....	190
prescribe disposition of abandoned goods .....	110
restrictions for importations of Army supplies .....	69
order disposition of lottery tickets .....	146
Misconduct of customs employees to be reported by weighers to surveyor ..	58
Missing packages of cargo, penalty for .....	322
when found must pay duty .....	173
Mixtures known as oleomargarine .....	71
Money, employees in charge of, to be bonded .....	61
kinds of, to be expressed in invoice .....	99
public, must be accounted for as required by military governor or Secretary of War .....	14
Moorings must be made at place indicated by authorities .....	80
Morning report of surveyor to collector, contents of .....	23
Motive power of vessels to be stated in entries .....	102
Moving of goods in bond must be done by bonded draymen or lightermen ..	196
Municipalities to pay duty on supplies .....	70
Municipal judges may authorize search .....	11

## N.

Names of captains to be given in manifests .....	77
placed on bulletin boards of custom-house .....	69
persons lost at sea to be reported .....	163
shippers to be given in manifest .....	77
vessel and master to be secured by boarding inspector .....	31
weighers or gaugers must appear on certificates .....	27, 51
Nationality of vessel to be stated on entry .....	97
Nationalized merchandise, how performed .....	166
Natural products laden at any point on coast .....	170
Navigation laws, violations of, to be reported to surveyor .....	25
Navy of United States, supplies for .....	69
Neglect of duty to be reported by weigher to surveyor .....	53
Neutrality laws enforced by Revenue-Cutter Service .....	243
New bonds, when required .....	189
coasting permits, when granted .....	173
examinations to be made in case of suspected fraud .....	64
packages must be marked like old ones .....	205
Newspapers exempt from duty .....	143
Night discharge of vessels only by special permit .....	44
inspectors, for what purpose appointed .....	35
may call on police and citizens to aid them .....	36
examine persons leaving vessels .....	36
question persons boarding vessels at night .....	36
stop persons from leaving vessels .....	36
must guard wharves .....	35
keep watch over vessels .....	35
prevent landing of goods between sunset and sunrise .....	35

## Article.

Night inspectors must protect bonded warehouses from robbery .....	35
should examine packages taken from vessels at night ....	36
seize smuggled merchandise .....	36
to take precautions against smuggling .....	36
watch for small boats approaching vessels or wharves	
under their charge .....	36
may stop the landing of goods, when .....	35
Night permits, when necessary .....	35
must be exhibited, when .....	35
Night work, when permitted .....	152
Nonagreement of merchandise with manifest, penalty for .....	222
Nonmanifested merchandise of officers or crew to be forfeited .....	76
Notice of burning of bonded warehouse communicated to military governor ..	190
public sale of merchandise to be conspicuously posted .....	107
search of foreign vessels must be given to proper consul .....	9
on bulletin board to be authenticated by collector .....	89
to be given of desire to refit wrecked vessel .....	165
Notifications of captains, how served .....	88
Numbers, marks, and weights of merchandise to be given in manifests .....	77

## O.

Oath and declaration of consignee .....	97
for entry of goods for warehousing .....	194
of captain concerning ship's stores .....	86
master to manifest of cargo .....	75
showing impossibility of producing invoice .....	104
Oaths, false, penalties for .....	97
Object of bond furnished by customs employees .....	61
Obligations of masters of foreign vessels .....	75
owners of vessels engaged in coasting trade .....	179
Office of consignee the office of the master .....	88
consul, when residence of master .....	88
Officers of Revenue-Cutter Service may board vessels .....	244
Official correspondence, how transmitted .....	5
Officials of customs service—boarding inspectors .....	81
bonds of .....	61-63
coast inspectors .....	32-34
collectors of customs .....	15-21
customs inspectors .....	24
discharging inspectors .....	38-52
district inspectors .....	25-30
night inspectors .....	35-37
surveyor .....	22
weighers .....	53-60
Official standard of weights .....	54
Officials to pay duty on supplies furnished .....	70
Oleomargarine imported to be branded .....	71
must be sold from original packages .....	71
not properly branded, a fraudulent importation .....	71
to be seized and sold .....	71
circular relating to .....	71
Omission in documents, penalty for .....	221
manifest do not cause forfeiture .....	76

	Article.
Openings and hatches of foreign vessels to be sealed by district inspectors ..	25
Operations for entering goods must be correct .....	67
export, when prepared before vessel's arrival .....	153
Orders for delivery of goods to be made of record .....	50
Original and port marks must appear on packages for exportation .....	195
figures of weighers not to be erased .....	58
importers can not be relieved from liability for duties .....	197
Owners may secure delivery permit for perishable goods .....	47
must be present at examination of baggage .....	138
of merchandise, right of appeal from appraisement .....	161
unclaimed, to receive no part of proceeds of sale .....	109
to be advised of clearance of Cuban vessels for foreign ports .....	179
saved expenses .....	41

## P.

Packages containing oleomargarine to be branded .....	71
may be opened .....	67
not agreeing with permit .....	51
found on board .....	51
to be left on public wharves over night .....	119
on manifest, missing, penalty for .....	222
received by mail to be examined .....	139, 141
stored at captain's expense, when .....	113
transferred from one vessel to another must be manifested .....	156
Packing of merchandise, how to be done .....	105
Papers, fraudulent, penalty for presenting .....	221
of contraband vessels to be delivered to collector .....	128
Paragraphs of the tariff must be applied by appraisers .....	131
cited in appeals .....	238
Partial or port manifest to be certified .....	77
withdrawal from bonded warehouses, how permitted .....	196
Passengers' baggage, how landed .....	122
sent to public store, when .....	51
effects, when admitted free .....	122
Passengers, list of, to be produced .....	80
names of, to be on route manifest .....	91
on transport, regulations for .....	234
to be landed before other persons are allowed to board vessels in port .....	65
without dutiable property not to be detained .....	74
Payments of foreign tonnage duties to be noted .....	180
Penal provisions .....	235
Penalties ( <i>see</i> Fines), do not exempt from other legal proceedings .....	233
for broken seals .....	119, 224
changing anchorage without permission .....	224
concealed firearms or explosives .....	225
concealment of documents .....	231
delay of small boats in transit .....	224
destruction of documents .....	221
difference in weights .....	224
embarking goods other than at a port of entry .....	227
merchandise without permission .....	227
erroneous manifest .....	76, 221

	Article.
<b>Penalties for failure to give notice of arrival of vessel</b> .....	228
have manifest viséd .....	224
pay liquidated duties .....	226
present copies of manifest .....	224
declaration of merchandise deposited in	
warehouse .....	230
list of passengers .....	224
log book .....	224
manifest of baggage .....	224
general manifest of goods in transit .....	224
produce manifest .....	75, 224
invoice .....	104
foreign merchandise found on coasting vessels .....	229
goods undervalued .....	226
having goods on vessel not manifested .....	222
importing in vessels of less than 30 tons capacity .....	111, 228
landing passengers at wrong place .....	224
making false affidavit .....	221
statements .....	221
missing packages .....	222
misuse of American flag .....	179
neglecting to report loss at sea .....	168
nonagreement of merchandise with manifest .....	222
not having vessel's documents in order .....	224
stating increased tonnage of vessels .....	224
surrendering coasting permit .....	178
passengers bringing in merchandise .....	227
performing private service by inspectors on board vessels to	
which they are assigned .....	24
presenting false documents .....	221
fraudulent invoices .....	221
provisions not listed in ship's stores .....	224
putting to sea without complying with regulations .....	228
removing packages without permission .....	224
shipping merchandise coastwise without permit .....	229
small boats approaching other vessels .....	225, 230
transferring goods from one vessel to another without per-	
mission .....	280
undervaluation .....	104
unlawful wearing customs service uniform .....	232
willful acts of omission .....	221
certifying shipments without due inspection .....	30
<b>Periods allowed for bonded goods to remain in storage</b> .....	193
granted for depositing ship's papers .....	75
for customs operations, basis of .....	83
making protest of entrance through stress of weather .....	159
producing manifest of cargo .....	75
of ninety days may be extended by collector of customs .....	107
<b>Periodicals exempt from duty</b> .....	145
<b>Perishable articles to be reported to collector</b> .....	41
cargo, when sold .....	159
goods not allowed in bonded warehouses .....	200
goods to be retained on board vessels, when .....	41
<b>Perjury, penalties for</b> .....	97

	Article.
Permission for engaging in coastwise trade, how secured .....	166, 167
to be present at appraisals, how secured .....	73
fly the American flag, when granted .....	179
forward goods saved from a wreck .....	163
land without detention .....	74
Permits for baggage .....	51
boarding vessels .....	65
clearance for foreign ports .....	179
coasting trade .....	177
coastwise vessels .....	168
to be viséed .....	170
consumption .....	51, 98
delivery of goods for transport or export .....	51
" I. T. " goods .....	51
merchandise .....	41
discharge of cargo .....	18, 23, 81, 115
on holidays .....	118
goods to remain on wharves .....	152
lading merchandise for export .....	23, 148
landing .....	45
merchandise .....	23, 81, 126
must be recorded .....	50
lighters .....	171
night working of vessels .....	35, 46, 118
one vessel to go alongside another .....	124
passengers to land .....	74
transfer of merchandise must be noted on manifest .....	156
transport .....	51
unloading vessels in distress .....	159
weighing goods .....	60
withdrawal from bonded warehouse .....	193, 207, 208
free .....	51
from customs officer necessary to deliver specie or valuables .....	39
to be submitted to surveyor .....	51
viséed .....	170
carry arms and ammunition .....	179
discharge ballast .....	127
land equipment for repairs .....	122
transport merchandise in bond .....	123
warehouse .....	51, 120
when surrendered .....	178
Personal effects of passengers. (See Baggage.) .....	
service on captains not necessary .....	88
Persons permitted to board vessels upon arrival in port .....	65
not allowed to board vessels until master's permission is obtained .....	65
leave vessels until customs officials take charge .....	65
caught smuggling to be arrested .....	36
may be searched .....	10
Petition for extension of period for discharge .....	113
Pilots allowed to board incoming vessels .....	65
Piratical attacks, how guarded against .....	242
Places for discharge of cargo .....	116
Place of ultimate destination of goods noted in discharging book .....	51
Plantations, machinery for, how transported .....	171



	Article.
Police or citizens to aid night inspectors .....	36
Policies of vessels engaged in export trade .....	147, 148
to be examined by inspector .....	148
Possession of office not given until bond accepted .....	63
Port authorities may grant permission for change of anchorage .....	80
charges .....	75
not collected from vessels in distress .....	159
marks and original marks must appear on packages for export .....	212
Ports of call to be noted in log book .....	81
must be stated in manifest .....	81
port of departure of vessels to be placed on bulletin board .....	89
from which vessel sails to be given in manifest .....	77
Post entries on manifest, when permitted .....	76
when allowed .....	222
exchanges, officers in charge of must swear to importations of .....	69
what may be imported by .....	69
Postmasters, must aid customs officers .....	144
required to protect customs revenue .....	144
to aid in collection of duties .....	141
collect customs dues, when .....	142
notify collectors of mail suspected of containing dutiable merchandise .....	142
receipt to discharging inspectors for mail .....	38
Powers of customs officials not confined to their own districts .....	7
Power to arrest .....	7, 34, 36
demand manifests .....	9
enter buildings other than dwellings .....	10
hail vessels .....	7
seal packages .....	9
search .....	7, 9, 10, 34
seizure .....	7, 10, 36, 34
stop vessels .....	7
use force .....	7
Preliminary entry of steamships making regular trips .....	117
Premises destined for warehouse, examination of .....	188
of custom-house, when used as bonded warehouse .....	184
Principal customs port .....	2, 5
Principal responsible for clerks .....	98, 97
Principals and agents, liability of .....	97
Printed matter, definition of .....	145
exempt from duty, when .....	145
in mails liable for duty .....	145
relating to lotteries, disposition of .....	146
Private duties must not be performed by inspectors on board vessels to which they are assigned .....	24
Privileges of Cuban vessels in foreign ports, how determined .....	179
Proceeds from sale of confiscated oleomargarine to be deposited in Treasury .....	71
of sale of abandoned merchandise not to be returned to owner .....	157
merchandise subject to demand of importer .....	107
cost of storage and sale to be deducted from .....	107
of public sale of goods, how accounted for .....	109
Products of Cuba, where laden for export .....	151
Productions of Cuba entered free of duty .....	161
Prohibited merchandise not to be exported .....	91

	Article.
Proof of proper payment of duties required .....	64
Property, employees in charge of, to be bonded .....	61
loss on vessels to be reported .....	163
of officers shipped on transport must be manifested .....	234
of private individuals carried on transport must be manifested .....	234
Propellers, general bond for .....	199
Proprietors of warehouses, fees allowed .....	186
Protection of customs revenue by Revenue-Cutter Service .....	243
Protests .....	235
board of appeals to consider .....	236
classification desired should be stated in .....	235
class of, not admitted for review .....	238
evidence submitted in support of .....	237
findings of, to be communicated in writing .....	241
language of .....	241
may be filed before or at time of payment of duties .....	235
must be filed in writing .....	235
give paragraph of tariff under which classification is claimed .....	238
state in detail nature of claim .....	238
not allowed for excessive sea stores .....	238
to be accompanied by samples when possible .....	241
forwarded to military governor .....	241
regulations for presentation of .....	241
right of importers to protest against valuation .....	235
rules for submitting .....	235 et seq.
Provisions on board vessels must be listed .....	80
Public notice of sale of goods not duly entered .....	107, 109
property carried on transport must be described in manifest .....	234
must be accounted for as prescribed by military governor .....	
or Secretary of War .....	14
stores, appraisals to be made at .....	135
Putting to sea without complying with regulations, penalty for .....	228

## Q.

Qualified ports of entry only may be entered by vessels .....	160
Qualifying for export trade .....	147
Quality of goods, how decided .....	134
Quantity of cigars admitted free of duty .....	122
Quarantine service may designate landing place for passengers .....	224
vigilance of vessels in .....	
Quartermasters in charge of transports .....	234
must certify to manifests delivered to collector of customs .....	234
must issue bills of lading for all transport shipments .....	234

## R.

Railroad iron, how to be weighed .....	59
may be stored in warehouses of class three .....	187
Rails, steel, how to be weighed .....	59
Rates for storage, how computed .....	186
to be paid to be decided by customs inspector of Habana .....	17
Reappraisements, proceedings for .....	136
Receipt describing goods to accompany each load for warehouse or public store .....	44

	Article.
Receipt for all packages to be given .....	51
unshipped merchandise to be signed by storekeeper .....	29
seized goods to be sent to the surveyor .....	24
or ticket for goods sent to general order store to be attached to original entry .....	80
Record book to be kept by district inspector .....	25
Records; collectors must forward all required reports to superior authority .....	15
must be open to inspection at all times .....	13
of all permits for delivery of goods to be kept .....	50
principal customs officers required to keep .....	13
to be delivered to successors .....	13
of seizure of contraband vessels to be delivered to collector .....	128
Refitting of wrecked vessel, procedure for .....	165
Refund of duty on missing packages .....	173
when not to be made .....	104
Registered mail, how forwarded and marked .....	142
Register of declarations .....	112
foreign vessels to be produced .....	75
vessel to be given in manifest .....	77
Registration of authorizations of clerks necessary .....	98
Registry of authorized clerks for customs operations .....	98
Regulations governing preparation of transport manifest .....	234
for passengers on transport .....	234
provided for boarding and landing from vessels in port .....	65
special, for the coasting trade .....	179
violations of, to be reported to surveyor .....	25
Reimportation of articles exported for repairs .....	73
foreign merchandise dutiable .....	217
Remains of wrecks may be exported .....	164
wrecked vessels, what are so considered .....	164
Remission of additional duties, how secured .....	226
Rent, when charged against seized goods .....	185
Renunciation of consignments, when to be made .....	94
merchandise, meaning of .....	157
Repacking of goods in bond permitted .....	205
Repairs, articles exported for .....	73
to packages in bond permitted .....	205
Reports, daily, of all importing vessels to be made to surveyor .....	25
of accidents involving loss of life or property .....	163
to be made to surveyor .....	81
all broken packages to be made .....	120
all seizures and arrests to be made promptly .....	37
weighers, gaugers, or measurers on duty .....	51
appraisers made to collectors .....	133
captains of entrance through stress of weather .....	159
cases where signal lights are not displayed according to law .....	24
chief inspector of assignment of night force .....	37
negligence, absence, or misconduct .....	37
coal on vessel to be entered in report of discharging inspectors .....	51
coast inspectors to surveyor of wrecked or stranded vessels .....	32
discharging inspectors to surveyor of disobedience to orders or regulations .....	43
district inspectors of all discovered violations of laws .....	25
importing vessels arriving .....	25

	Article.
Reports of exceptional examination of goods .....	135
explosive or perishable articles to be sent to inspector .....	41
goods remaining on board after discharge period has elapsed....	52
seized by inspectors to be sent to surveyor .....	24
lading of vessels to be made to collector by surveyor .....	23
night inspectors, when and to whom to be made .....	35
officer in charge of bonded warehouse .....	195
seals which appear to have been tampered with .....	49
sea stores to be made to discharging inspectors .....	38
seizure to be made to collector .....	10
surveyor to collector of absence or neglect of employees .....	23
all incoming vessels .....	22
weighing of cargoes to be made to collector .....	60
Reported weights of weighers not to be changed or amended .....	58
Reports, who are to render .....	5
of various kinds to be made by district inspectors .....	25
Reshipment of goods landed in error .....	123
Residence of captain or master of vessel .....	88
Resident merchants to certify invoices of goods shipped to the United States ..	15
Responsibility of appraiser .....	131
captains, when terminated .....	115
customs officers in accepting bonds .....	63
Restrictions for export of articles for repairs .....	73
of free entry to be prescribed by military governor .....	69
Revenue-Cutter Service, cruising grounds, how designated ..	243
duties of .....	243
to aid vessels in distress .....	243
arrest persons violating the laws .....	246
board and search vessels .....	244
certify manifests .....	244
enforce laws governing merchant vessels .....	243
quarantine regulations .....	243
protect commerce against pirates .....	243
wrecked property .....	243
seal hatches .....	244
officers, when placed on board vessels .....	244
Right of appeal from appraisal of wrecked merchandise .....	161
Rooms containing specie or valuables to be locked by discharging inspectors ..	39
Rowboats not allowed to go alongside vessels in port .....	65
Route manifest, when to be delivered .....	91
Rules governing transfer of merchandise .....	156
of the tariff must be applied by appraiser .....	131

## S.

Safeguarding valuable cargo, measures for .....	119
Safes containing specie or valuables to be locked by discharging inspector ..	39
Sailing without complying with regulations, penalty for .....	227
Sails may be landed for repairs under bond .....	122
Salaries of employees of warehouses paid by proprietor .....	196
Sale, expenses of, how to be paid .....	110
of goods at auction after five days' notice .....	107, 109
ship's stores prohibited .....	86
Salvors of merchandise, when considered owners .....	161

	Article.
Salvors interest in goods uncertain .....	161
may make entry of wrecked or abandoned goods .....	161
Samples of goods in bond may be taken .....	205
merchandise to be submitted .....	184
Scales, how to be adjusted .....	57
Scene of wreck to be visited by coast guard .....	163
Schedule of harbor improvement taxes .....	175, 176
Scows, general bond for .....	199
Sealed mail bags delivered to postmasters .....	140
how examined .....	140
Sealing of hatches to be done by boarding inspectors .....	31
Seals of crafts or vehicles conveying goods in bond .....	204
placed and removed .....	119
broken, to be reported to collector of customs .....	119
integrity of, to be examined .....	119
Search of vessels made by revenue officers .....	243
when notice of, must be given .....	9
may be made at any time .....	10
warrant for, how secured .....	11
may be made by masters of light-house tenders .....	34
Sea stores, protests for, not entertained .....	238
to be reported by masters to custom-house .....	38
Seaworthiness of vessels to be reported .....	163
Secretary of War may require account of public money .....	14
to be advised of misuse of American flag .....	179
Seized goods to be sent to the public stores .....	24
Seizure of merchandise brought by passengers .....	227
when it may be made .....	10
Seizures may be made by masters of light-house tenders .....	34
Separate manifest for each port .....	77
sheets of manifest to be sealed .....	77
shipments can not be consolidated in one invoice .....	103
Service of revenue cutters .....	243
on captains, how secured .....	88
may be made through consulate .....	88
Sex to be regarded in searching passengers .....	138
Shipment of goods in bond to be supervised by district inspectors .....	26
for export to be supervised by district inspectors .....	26
Ship's papers to be deposited with consul .....	75
when to be returned .....	75
stores for exclusive use of vessel .....	86
when excessive, are dutiable .....	86
not to be sold or transferred .....	86
oath of captain concerning .....	86
Shipments, separate, can not be consolidated in one invoice .....	103
Shortage in cargo, consignee responsible for .....	115
Short packages, when allowance is made for .....	174
shipments, no allowance for .....	172
Signal lights must be displayed as required by law .....	24
of vessels engaged in coasting trade .....	177
Silver dollars of the United States receivable for duties .....	99
Size of letters on oleomargarine packages .....	71
vessels that may import goods into Cuba .....	111

	Article.
Small boats approaching vessels or wharves to be watched by night inspectors .....	36
Smuggled goods, how searched for .....	11
Spaces, empty, on vessels, may be searched .....	67
Spanish copies of manifest to be delivered .....	77
fractional silver, how received for duties .....	99
Specie and valuables in charge of purser to be taken charge of by discharging inspectors .....	39
Special deputy collector, provisions for .....	20
when he may act .....	29
powers and duties of .....	20
examination of merchandise, when made .....	105
permission for night discharge of vessels .....	118
permit for vessels to remain at wharves .....	152
required for night discharge of cargo .....	46
regulations for the coasting trade .....	179
steamer lines engaged in export trade .....	149
govern discharge of regular steamships .....	117
returns of weights, when to be made .....	60, 215
rules for warehousing goods .....	184
Standard, official, of weights .....	54
Statement, false, penalty for .....	221
of abandonment, when it may be made .....	157
Steamships. (See Vessels.)	
Steel rails, how to be weighed .....	59
Storage charges must be paid by consignee .....	157
on unclaimed goods, how paid .....	110
to be entered on withdrawal permit .....	210
expenses to be charges against merchandise .....	67
of goods in bonded warehouses .....	184
on goods to be paid for by consignee .....	115
Storekeepers, book of, what to contain .....	120
duties of .....	120
goods to be received and dispatched in presence of .....	120
must receipt for goods received .....	24
to examine condition of packages .....	120
keep keys of warehouses .....	120
personally superintend opening and closing of warehouse .....	120
receive cargo of contraband vessels .....	128
packages for appraisal .....	120
report all broken packages .....	120
have charge of goods in warehouses .....	186
Stormy days deducted from period for unloading .....	125
Stranded or wrecked vessels to be in charge of coast inspector .....	32
Stress of weather, obligations and privileges conferred by .....	78
Subports, list of .....	5, 247
Substances known as oleomargarine .....	71
Substitute for register of foreign vessels .....	75
Substitution of authorizations of clerks .....	98
Supervision of appraisal .....	130
loading for export .....	151
shipments of goods for export by district inspectors .....	26
unloading vessels in distress .....	174
Supplies for United States Army, Navy, and Marine-Hospital Service .....	69

	Article.
Supplies for post exchanges, how admitted .....	69
on board vessels are to be listed .....	80
purchased by departments of Government to be dutiable .....	70
Sureties, who may be accepted as .....	188
Surrender of permits to engage in coasting trade .....	178
Surveillance, customs .....	64, 66
by whom exercised .....	66
in jurisdictional waters .....	66
in ports .....	66
where exercised .....	66
Surveyors, duties of .....	22, 23
daily report of incoming vessels required .....	23
direct inspectors, weighers, and measurers .....	23
lading of merchandise .....	22, 23
may give permission to change returns of weights .....	58
must examine and test all weights and measures employed .....	23
place inspectors on board vessels .....	23
preserve with care all orders received from superior authority .....	23
report to collector any disagreement between delivery of merchandise and landing permit .....	23
outdoor executive officer of the port .....	22
report each week to collector all negligent or absent employees .....	23
report incoming vessels to the collector .....	22
required to sign the discharge book .....	50
should visit or inspect vessels arriving in his port .....	23
supervise discharge of cargoes .....	22, 23
other employees .....	22, 23
take charge of all incoming vessels .....	22, 23
to examine log book and compare with manifest .....	81
examine whether goods imported and deliveries thereof correspond .....	23
furnish certificates of weight .....	60
prescribe regulations for discharge of merchandise .....	118
send inspector of customs to wrecked or stranded vessel when necessary .....	33
Suine to be branded as oleomargarine .....	71
Suspected frauds .....	64
procedure for .....	183
loss of vessel to be reported .....	168
persons should be examined in presence of another person .....	36
Supervision of weighing by weighers .....	53
Sworn declaration for supplies for post exchanges .....	68

## T.

Tallow, extracts of, to be branded as oleomargarine .....	71
Testimony heard by judges .....	221
taken to determine classification of goods .....	137
Testing of weights and implements .....	
Tickets on unshipped merchandise to be signed by storekeepers .....	29
Ticket or receipt for goods sent to general-order store to be attached to original entry .....	30
Time for discharging vessels limited .....	52

	Article.
Tobacco unentered to be destroyed, when .....	107, 108
Tonnage, increased, must be reported .....	224
taxes .....	75, 176
taxes may be paid in advance .....	181
Transfer of goods from one vessel to another, how performed .....	156
merchandise in bond .....	198
ship's stores forbidden .....	86
Transit, meaning of the word .....	154
conditions governing .....	154
when permitted .....	154
of merchandise within the island free .....	182
Translations of manifest, when presented .....	84
Transport permits to be entered in the discharging book .....	51
Transportation bond, when canceled .....	123
coastwise, how permitted .....	167
from point to point within the island .....	182
in lighters, how permitted .....	171
of goods in bond, rules for .....	184, 202, 203
of goods in bond to be supervised by district inspector .....	26
Transshipment bond, when necessary .....	123
by whom executed .....	123
of merchandise .....	154
under what conditions permitted .....	156
application for .....	156
must be in duplicate .....	156
permits for, when issued .....	156
or export entries to be returned to surveyor's office .....	30
Tubs containing oleomargarine must be branded .....	71
Tugboats not allowed to go alongside vessels in port .....	65
Two copies of manifest to be delivered .....	77

## U.

Unclaimed baggage, disposition of .....	138
goods may be stored in warehouses of class two .....	185
sale of .....	109
proceeds, how to be accounted for .....	109
to be taken possession of by collector .....	52
wrecked merchandise in custody of collector .....	161
Uncertain interest of salvors in wrecked merchandise .....	161
Undervaluation, penalties for .....	104, 226
Underwriters, when considered owners of goods .....	161, 162
Uniforms to be worn on duty by inspectors .....	24
penalty for unlawful wearing .....	232
United States Army, supplies for .....	69
coins to be receivable for duties .....	99
consuls, certain duties of, now performed by collectors of customs .....	15
transport service .....	234
Unloading of goods must not be delayed .....	41
nationalized or domestic merchandise, how performed .....	169
Unlawful removal of goods prohibited .....	35
Unofficial duties not to be performed by inspectors on board vessels to which they are assigned .....	24





Unsealed mail packages, how disposed of.....	143
Unshipped packages to be sent to nearest general-order store .....	29

## V.

Vague descriptions not permitted in manifests .....	77
Valuables and specie on board vessels to be taken charge of by discharging inspectors .....	89
Valuable cargo, measures for safeguarding .....	119
Value of consignment to be stated in route manifest.....	91
foreign coins, how determined .....	99
importations, how ascertained .....	104
repairs on reimported articles to be dutiable.....	73
Variation of weight in steel rails, amount of, allowed .....	59
Vehicles may be searched .....	10
Verification of dock book by collectors .....	55
Vessels abandoned .....	94
admeasurement of .....	22
admeasurement of, to be done by surveyor .....	22
all parts of, to be examined before discharged .....	52
can not change anchorage without permission .....	80
enter any port not qualified as a port of entry .....	160
cargo of, to be recorded in separate book .....	56
clearance certificates of, to be issued by collector .....	75
consignees of .....	92
documents of, to be deposited with consul.....	75
examined by boarding inspector.....	31
engaged in coasting trade, when documents may be retained.....	179
entering rivers, special watch over.....	244
entrance of, through stress of weather.....	159
from foreign ports to be boarded by boarding inspectors.....	31
importing, when so considered.....	68
in ballast, tonnage taxes on.....	176
coasting trade must carry a distinctive signal.....	177
distress aided by Revenue-Cutter Service.....	243
when they may be unladen.....	159
quarantine, vigilance of.....	85
to present copies of manifests when.....	85
transit under supervision of inspectors .....	154
lost at sea to be reported to collector.....	163
name of captain, class, and nationality to be stated in entry.....	97
may discharge on permits only issued by collector of customs.....	18
must anchor or moor as directed .....	80
be examined by customs authorities.....	170
moored before persons are allowed to board .....	65
enter port promptly .....	80
of less than 20 tons burden may secure permit to trade.....	170
the United States may engage in Cuban coasting trade.....	177
on arrival at port under stress of weather under customs control until discharged.....	78
size of, in which importations may be made.....	111
to be examined by discharging inspector before reported fully discharged .....	52
in charge of district inspectors.....	25
inspected by Marine-Hospital Service .....	81

	Article.
Vessels, when residence of captain .....	88
may be boarded, where .....	9
who may board incoming .....	65
wrecked or stranded, to be in charge of coast inspector .....	33
Veterinarian of port, duties of .....	121
Vigilance of vessels in quarantine .....	85
Vinous liquors for post exchanges not free .....	69
Violation of law, arrest for .....	246
revenue laws to be reported to the surveyor .....	25

## W.

Warehouse, goods in, when to be sold .....	100
permits .....	51
to be entered in the discharging book .....	51
Warehouses, three classes of .....	184
Warehousing goods, rules for .....	184
Waters, jurisdictional, of Cuba .....	64
Weight, average, of steel rails, how to be secured .....	59
Weighers to keep beam clean .....	57
to see that their weights agree with official standard .....	54
assigned to duty by surveyor .....	53
duties of, described .....	53-60
to weigh steel rails or railroad iron, how .....	50
must have beam accurately balanced .....	57
mark weight of each single package .....	57
not change returns of weights .....	58
report misconduct or neglect to surveyor .....	53
test scales frequently .....	57
not to allow others to take weights .....	53
absent themselves from duty without permission .....	53
required to have weights and implements tested .....	54
inspect and take copies of all permits calling for goods to be weighed .....	53
responsible for fidelity of assistant weighers .....	53
supervise weighing of all merchandise .....	53
to be at their assigned places .....	53
furnished with blank dock books .....	55
copy permits in dock book .....	55
file completed book of weights .....	56
keep a separate book for each cargo .....	56
make daily entry of goods weighed .....	55
special returns of weight of articles on each permit .....	56
special returns when so ordered .....	60
take weight on rising beam .....	57
when permitted to accept invoice weight .....	50
when required to make returns .....	60
Weight of merchandise to be given in manifest .....	77
packages to be given in manifests .....	77
recorded .....	120
to be taken on rising beam .....	57
Weights and measures to be compared with standards .....	23
when tested .....	23
implements to be tested .....	54

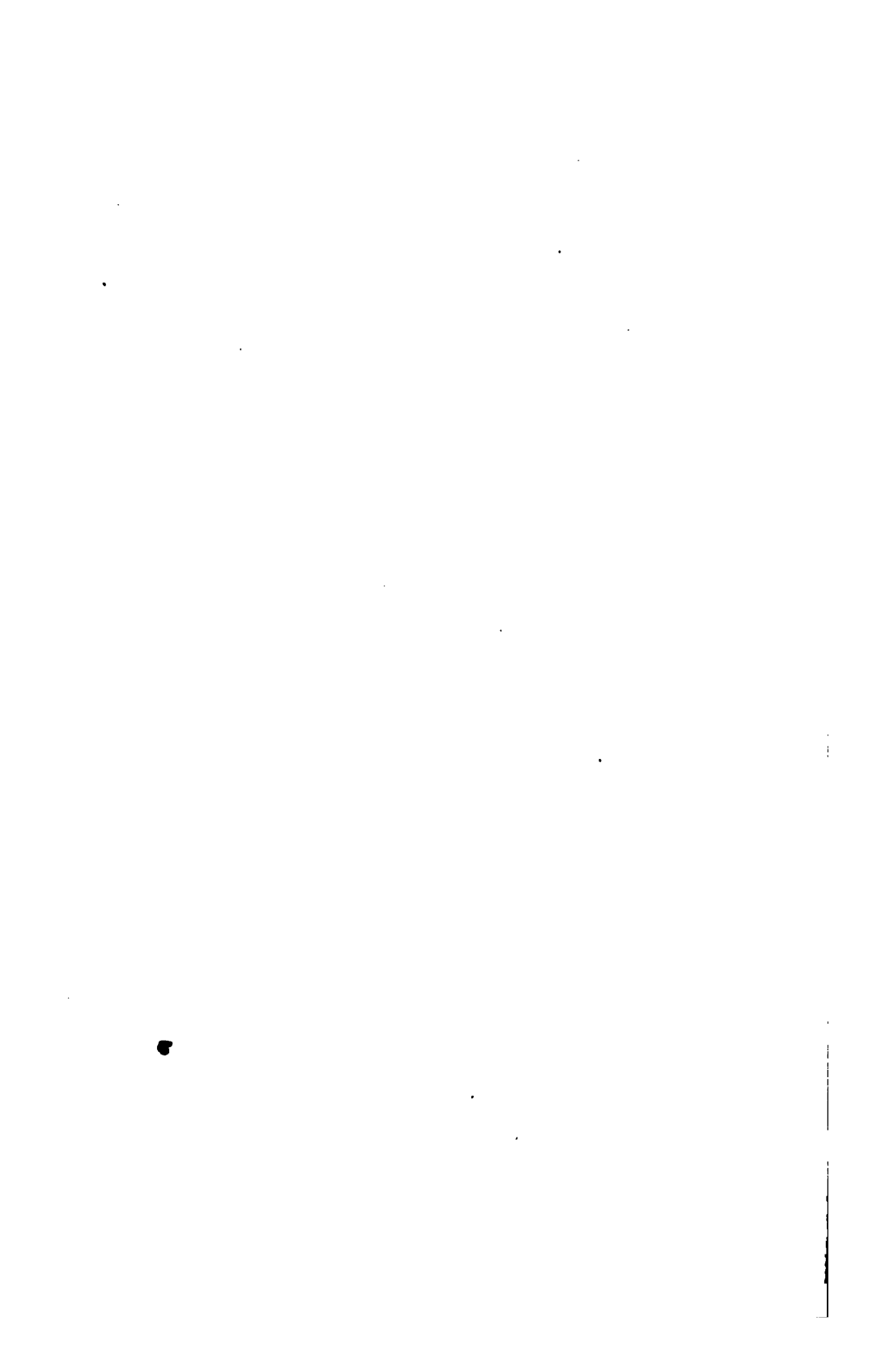
	Article.
Weights, special, returns of, when required.....	215
Wharves, persons excluded from, when goods are appraised .....	73
to be guarded by night inspectors.....	35
When district inspectors are to take charge of lading vessels.....	25
Windows of warehouses, how protected.....	186
Wine casks in bond may be refilled.....	206
Withdrawal from bonded warehouse.....	196
of bonded goods for exportation.....	211
permits for consumption.....	208
Wood may be stored in warehouses of class three.....	187
Work on holidays, when permitted.....	152
Working days for discharge of vessels, how computed....	125
Wrecked merchandise must be appraised.....	161
procedure for.....	162
salvors' interest in uncertain.....	161
property protected by Revenue-Cutter Service.....	242
vessels to be guarded by coast inspectors.....	38
Wrecks, remains of, may be exported.....	164
to be visited by coast guard.....	163
Written authorization of clerks of consignees.....	93

## Y.

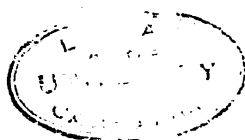
Yachts not liable for tonnage taxes.....	176
Yards, when used as warehouses.....	184, 187

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1





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